Corruption in Higher Education in Nigeria: Prevalence, Structures and Patterns among students of higher education institutions in Nigeria

By

Sakiemi A. Idoniboye-Obu

208518002

Submitted in fulfilment of the requirements for the Doctor of Philosophy degree in Political Science, School of Social Sciences, University of KwaZulu-Natal, Pietermaritzburg Campus, South Africa
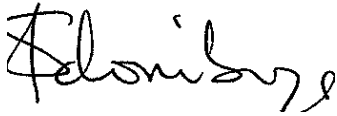
Supervisors

Professor Nwabufo Okeke Uzodike

Dr Alison Jones

2014

Declaration

I declare that this thesis is my own unaided original work. All citations, references, borrowed ideas, and sources have been properly acknowledged. It is being submitted for the degree of Doctor of Philosophy in the College of Humanities, University of KwaZulu-Natal, Pietermaritzburg. No part of the present work has been submitted previously for any examination or degree in any other University.

Sakiemi Abbey Idoniboye-Obu

Date

Professor Nwabufo Okeke-Uzodike

Date

Dedication

To

The Holy One of Israel Who makes all things beautiful in His own time; the Sovereign Lord, Wisdom and Power of God, Captain of the Lord's host, the Beginning and the End, the Author and Finisher of my faith, Owner and Keeper of my soul, my Lord, my All, Jesus Christ.

Thank You, Lord.

And

To Her whom He used to complete me

HP

My Wife, My Sister, My Friend and Lover

Tamunotonye Ibimina Idoniboye-Obu

Acknowledgement

Saying "thank you" is one of the most difficult things to do, simple as the phrase sounds. This is more so when very many people made varying degrees of contribution to the project for which the thank you is to be said. Who to mention first, what adjective to describe the person's (or institution's) contribution to the final product, and whose names to omit are just some of the problems. So, the first category I would like to appreciate is those who cannot be named. You were there when I needed different kinds of support and you provided it without even being aware that you were helping. Thank you. If you do not find your name in this acknowledgement, please, do not be offended. You impacted my life in ways you cannot tell. My God who sees in secret will reward you in the open. God bless you.

With specific reference to this thesis I would like to express my appreciation as follows:

Professor Nwabufo Okeke-Uzodike, thank you for your guidance and incisive comments. I also want to thank you for the vista of opportunities you opened to me. I may not have utilized them to your expectation, but I am grateful. What little I was able to appropriate of those opportunities will take me far.

Dr Alison Jones, thank you for stepping in when the need arose. I cannot possibly be the easiest student to supervise but you were patient and kind beyond the call of duty. I appreciate your care and kindness towards me. Your attention to details is highly appreciated.

To the lecturers in the International and Public Affairs Cluster who treated me as though I was a colleague instead of a student, thank you. Dr Suzanne Francis, Dr Bheki Mngomezulu, Dr Khondlo Mtshali, Mr Sanele Nene and Mr Mark Rieker, thank you for your availability.

My study could not even have commenced without an assurance of funding. Here, my heartfelt gratitude goes to my employers, Ignatius Ajuru University of Education. You did not only provide me with funds through a paid study leave, but you also released me for an extended period. Thank you to the Vice-Chancellor and management for this opportunity of a lifetime you provided me.

I also wish to appreciate the University of KwaZulu-Natal for funding part of this research and providing a highly conducive environment for this scholarly enterprise. I will not also forget the tutoring opportunities you provided.

I want to thank my family – brothers and sisters, nieces and nephews, cousins and in-laws: the journey would have been more difficult without your support and understanding. My children, especially Belema, you suffered untold setback as a result of this journey; thank you for returning home to Dad. My God-children, thanks for all your support and prayers. Special thanks to my father and mother-in-law for words of comfort and encouragement. My Wife, I would have packed up without you; THANK YOU.

To all my brothers and sisters in the Lord, the Sonlife Christian Centre and Word Assembly both in Port Harcourt, Dunamis Faith Assembly in Pietermaritzburg, thank you. Thank you: Pastor and Pastor (Mrs) Tijani, Bishop & Mrs Mike Amamieye, Rev & Pastor (Mrs) Johnson Ariyibi, Pastor & Pastor (Mrs) 'Remi Opaleye, Pastor & Pastor (Mrs) Olorunda, Dr Kontein Trinya, and Pastor Augustine Obah.

Abstract

Discourses, conversations and commentaries, and scholarly articles on Nigerian economy, politics, and society tend always to involve corruption. Violent changes of government as well as democratic leadership selection invariably make references to corruption as a justification for change. Every government since the country's independence has been assailed as either being corrupt or doing too little to fight corruption. Corruption is said to pervade every sector of the Nigerian society including education. Every stakeholder in higher education has at one time or another been accused of corruption. This study is concerned with one of the primary stakeholders in higher education – students.

The study examines the prevalence, structures, and patterns of corruption among students of tertiary institutions in Nigeria. Prevalence refers to the spread and depth of corruption in the consciousness of students while patterns suggest the forms in which the phenomenon finds expression. Structures are the opportunities for corrupt behaviour. It elicited students' ideas and concepts of corruption by means of focus group discussions and surveys based on semi-structured questionnaire. Empirical data were collected at ABU, UNN, FUTA, UNIPORT, IAUE, Rivpoly, FCEZ, and FCE (T) among others. These institutions were selected to represent the ethnic heterogeneity of the country as well as the three main types of higher education institutions in the country. Resource constraints and logistical factors meant that only two institutions were covered in the northern part of the country. However, the university selected in the north, ABU, has the entire 19 Northern States as its catchment area. The distribution of questionnaires among the various institutions also ensured that this limitation does not adversely affect the representation of the North in the sample. The field work for this research was done in two phases in 2009 and 2010. Though this is not a historical study, it was carried out at a particular historical conjuncture and therefore can be said to deal with undergraduates of Nigerian tertiary institutions in the first decade of the 21st Century.

It introduces the concept of higher education student corruption to capture corruption among students. It treats higher education student corruption as a complex and composite phenomenon with various aspects or interrelated dimensions. It finds that students have ideas and conceptions of corruption. It argues that students' ideas and conceptions of corruption are largely derived from student handbooks issued by the various institutions and from the environment. Consequently, it holds that students' ideas and concepts of corruption are not original or distinctive but are of the genre of conceptions of corruption as abuse or misuse of office.

The study elucidates the key elements of students' ideas and conceptions of corruption and examines their explanation for why some of them participate in corrupt practices. It classifies the variables in terms of the concepts with which students explain higher education student corruption into personal characteristics, establishment characteristics of higher education institutions, and the culture of corruption and, explores how these engender corrupt practices among students.

It identifies the major patterns of corruption that are prevalent among students as absenteeism, activisms, bribe/bribery, fraudulent conduct, cultism, dereliction, drug/alcohol abuse, examination malpractice, indecent dressing, sexual behaviour, theft/stealing, and unruly behaviour. The study also identifies and differentiates structures from patterns of corruption. The key structures of higher education corruption are teaching and learning, examinations, and accommodation as most of the patterns of corruption identified are imbedded in them.

The study found that higher education institutions are not only ill-equipped to deal with higher education student corruption but actually drive the phenomenon. This lack of capacity is related to underfunding by owner agencies such as the government, mismanagement of resources and maladministration by the management of higher education institutions, and societal pressures on both the institutions and the students. These will likely hinder current efforts being made by national anticorruption agencies such as the ICPC to combat corruption in the education sector.

List of abbreviations and acronyms

ABU: Ahmadu Bello University

ACTUs: Anti-Corruption and Transparency Units

ASUU: Academic Staff Union of Universities

BMAS: Benchmark Minimum Academic Standards

BPI: Bribe Payers' Index

CARS: Central Agricultural Research Station

CCJ: Community Court of Justice

CIHE: Corruption in Higher Education

CNANPU: Committee on Needs Assessment of Nigerian Public Universities

CPI: Corruption Perception Index

CRCS: Citizens Report Card Surveys

DAC: Driver Academic Corruption

DNAC: Driver Non-Academic Corruption

DSO: Directorate of Special Operations

ECOWAS: Economic Community of West African States

EFA: Education for All

EMA: Examinations Malpractice Act

EMI: Examination Malpractice Index

ESP: Education Sector Plan

FCOE (T):   Federal College of Education (Technical), Omoku

FCOE (Z):   Federal College of Education, Zaria

FCT: Federal Capital Territory

FGD: Focus Group Discussion

FME: Federal Ministry of Education

FRN: Federal Republic of Nigeria

FUTA: Federal University of Technology Akure

GPA: Grade Point Average

GPZ: Geopolitical Zone

GTC: Government Technical College

HEIs: Higher Education Institutions

HESC: Higher Education Student Corruption

HMC: Hall Management Committee

HND: Higher National Diploma

IAP: Independent Advocacy Project

IAUE: Ignatius Ajuru University of Education

ICPC: Independent Corrupt Practices Commission

ICT: Information Communication Technology

ICVS: International Crime Victims Survey

IMF: International Monetary Fund

JAMB: Joint Admissions and Matriculations Board

JHMC: Joint Hall Management Committee

LASU: Lagos State University

MDAs: Ministries, Departments, and Agencies

MDGs: Millennium Development Goals

MENA: Middle East and North Africa

NANS: National Association of Nigerian Students

NAOC: Nigerian Agip Oil Company

NARICT: National Research Institute for Chemical Technology

NBTE: National Board for Technical Education

NCCE: National Commission for Colleges of Education

NCE: National Council on Education

NCI: Nigeria Corruption Index

NCW: Nigerian Civil War

ND: National Diploma

NDA: Nigerian Defence Academy

NEC: National Examinations Commission

NECN: National Examination Council of Nigeria

NECO: National Examinations Council

NEEDS: National Economic Empowerment and Development Strategy

NFE: National Framework on Education

NHES: Nigerian Higher Education System

NITT:	Nigerian Institute of Transport Technology
NOA:	National Orientation Agency
NOUN:	National Open University of Nigeria
NPA:	National Prosecution Authority
NPC:	National Population Commission
NPE:	National Policy on Education
NPU:	Nigerian Public Universities
NUC:	National Universities Commission
NUNS:	National Union of Nigerian Students
NUS:	Nigerian University System
NYSC:	National Youth Service Corps
OSCOE:	Osun State College of Education
OSP:	Osun State Polytechnic
PCE:	Polytechnic College of Education
PETS:	Public Expenditure Tracking Survey
QSDS:	Quantitative Service Delivery Survey
RSCOE (P):	Rivers State College of Education, Port Harcourt
Rivpoly	Rivers State Polytechnic, Bori
RSUST:	Rivers State University of Science and Technology
SAP:	Structural Adjustment Program
SDC:	Students Disciplinary Committee
SERAP:	Socio-Economic Rights and Accountability Project
SES:	Socio-Economic Status
SIWES:	Students Industrial Work Experience Scheme
SPDC:	Shell Petroleum Development Company of Nigeria Limited
SSCE:	Senior School Certificate Examination
SUG:	Student Union Government
SWC:	Student Welfare Committee
TEDEM:	Technological and Economic Development Mission
THEI:	Type of Higher Education Institution
TTC:	Teacher's Training College

UBE: Universal Basic Education

UKZN: University of KwaZulu-Natal

UME: University Matriculation Examination

UNAD: University of Ado-Ekiti

UNESCO: United Nation educational, Scientific and Cultural Organization

UNN: University of Nigeria Nsukka

UPH/UNIPORT: University of Port Harcourt

USSR: Union of Soviet Socialist Republics

UTME: Unified Tertiary Matriculation Examinations

WAEC: West African Examinations Council

WB: World Bank

WBES: World Business Environment Survey

List of figures

List of Tables

TABLE OF CONTENTS

Contents Page

Chapter One: Introduction and Background

1.0 Introduction

This chapter introduces us to Nigeria with emphasis on the problem of corruption in its education sector which every government in Nigeria declares to be critical to the development of the country, as a background to this research. It also sets out the research problems, research objectives, and research questions. The significance and scope as well as limitations of the research are also stated in Chapter One. The chapter also contains a general introduction to the issues dealt with in each chapter of the thesis.

1.1 Background and outline of research problem

Corruption has become a major problem in the education sector worldwide. Though a late addition to the subjects dealt with in corruption studies, corruption in education has become a dominant theme globally.

The Federal Republic of Nigeria comprises 36 states and a Federal Capital Territory (FCT) housing the nation's capital. The FCT is comparable to Washington DC and is called Abuja. But unlike Washington DC, which is regarded as a municipality, the FCT is treated as a state by the constitution of the country. However, unlike the 36 states of the federation, the political head of the FCT is a Minister of the Federal Republic of Nigeria appointed by the President but subject to confirmation by the Senate. With an estimated population of about 172 million, Nigeria is the most populous country in Africa but, with an area of 923,768 sq. km it is only the 13th largest in size in the continent. In comparison to the Republic of South Africa, Nigeria's population is about three times that of South Africa while in land area it is about three-quarters of the size of the latter. Nigeria is located between Latitudes 4° and 14° N and Longitudes 3° and 14° E. The country shares international boundaries with French speaking countries on her northern and western land borders and a majority French speaking country on the east. It is bounded in the north by Niger Republic and Chad Republic; in the west by Benin Republic and Niger Republic and Cameroun Republic which is bilingual to the east. To its south are the Gulfs of Benin and

Bonny.

Nigeria became independent on October 1, 1960 after close to half a century of formal colonization by the British government. While various parts of the country were colonized from the late nineteenth century, the administration of the territories was left in the hands of commercial enterprises operating under license from the British government as chartered companies. The pattern and methods of acquisition and forms of rule also differed for the various peoples. The entire territories that made up Nigeria at independence were only amalgamated into a single territory in 1914. A common administration for the entire country was not established until the introduction of the Richards Constitution of 1946. The different parts of the country were also incorporated into mainstream colonialism including the elements of culture of the colonial power and the world capitalist system at different times and rates. In particular, the three administrative units, created in 1939 and which later metamorphosed into political regions under the Richards Constitution of 1946, had different levels of penetration from the main agents of Western education, the Christian missions and hence, different levels and patterns of exposure to modern education. The immediate and epochal result of the differences in the levels and patterns of penetration of Western education into the different parts of what later became Nigeria is the educational imbalance that continues to plague the country today.

Nigeria's higher education sector has a seven-fold objective in pursuit of which the Federal and state governments and, in recent times, private individuals and organizations, have established a variety of higher education institutions numbering approximately 305. The objectives of higher education include training high-level relevant manpower, developing and inculcating proper values for the survival of society, developing the intellectual capability of individuals to enable them to understand and appreciate their local and external environments, equipping individuals with physical and intellectual skills which will enable them to be self-reliant and useful members of the society, and promoting and encouraging scholarship and community services (Federal Ministry of Education, 2005)**.** There is widespread belief that Nigeria's higher education system is far from realizing these objectives. For instance, the capacity of higher education institutions is grossly inadequate, and the integrity and relevance of Nigerian higher education impugned.

For example, in the 2008/09 session, over 3 million candidates sought for placement in Nigerian universities but only 200,000, that is 6.67 per cent, could be accepted (Edukugho, 2008). By 2010 the percentage of candidates securing admission into universities was still less than sixteen per cent (Idoko, 2010). This has been the pattern over the past two decades. In 1983 there were 191,683 applicants seeking admission into Nigerian universities out of which only 26,691 or 13.92 per cent were admitted. In 1987 210,525 candidates applied for admission into Nigerian universities and only 34,456 or 16.36 per cent were admitted (Tawari & Koko, 1996). The 24.44 per cent of applicants admitted into Nigerian universities in the 1998/99 academic session is unarguably the highest level that has been attained in the last two decades. However in absolute terms this translates to only 78,550 successful applications out of 321,368 (Federal Ministry of Education, 2005, p. 212). In 2000-2001 the universities were able to absorb just 10.75 per cent of those seeking admission. The absorptive capacity of the polytechnics and the colleges of education is slightly better, perhaps because of the low interest of students in these types of institutions. Thus in 1996/97, approximately 27 per cent of the 169,630 candidates who applied for admission into polytechnics were admitted. For 1999/2000 the percentage admitted was 28.41 per cent (Federal Ministry of Education, 2005). The colleges of education sector did even better than the polytechnics. For example, in 1996/97 about 86 per cent of applicants were offered admission; the following session 95 per cent of applicants were absorbed (Federal Ministry of Education, 2005). A disturbing aspect of the absorptive capacity problem of tertiary institutions in Nigeria is that while the number of applications to the universities is on the increase, those applying to the polytechnics and colleges are on a progressive decline. Thus applications to polytechnics and colleges of education dropped from 169,630 and 13,950 respectively in 1996/97 to 130,251 and 8,861 respectively in 1999/2000 (Federal Ministry of Education, 2005, p. 212).

With regard to the quality and relevance of higher education in Nigeria, there are claims that graduates of Nigerian universities are barely literate (Braide, 2002), carry "unworthy degrees" (Akinyanju, 2002) and require retraining before use by employers (Akinyanju, 2002; Omokhunu, 2012a). A study by the Federal Ministry of Education reported that only a quarter of respondents adjudged graduates of Nigerian universities to be of good quality with an equal

number considering them to be of poor quality (Federal Ministry of Education, 2005). According to the Vice-Chancellor of the Federal University of Technology, Minna, Prof. Mohammed Saliu Audu, 60% of graduates of Nigerian universities cannot be employed because of "lack of infrastructure in the universities for them to learn and compete with other students" (Omokhunu, 2012a). Professor Niyi Osundare adds that "there is no Nigerian university that is standard" (Adesola, 2011). There is mutual lack of confidence among higher education institutions and their regulatory agencies and among various stakeholders in higher education institutions. Cheating and other forms of examination malpractices are rampart and widespread in secondary school graduation examinations and in entrance or matriculation examinations.

Among the factors generally implicated for the current deplorable quality and state of higher education in the country is corruption among politicians, bureaucrats, and faculty and staff of many higher education establishments. Corruption is believed to be widespread in the Nigerian education system. According to a former vice-chancellor of the University of Port Harcourt, "higher education in Nigeria is rife with corruption' and 'many students had been admitted into universities with falsified secondary-school certificates" (Kigotho, 2004).

However, the specificities of this corruption are more often assumed than ascertained by systematic research. Corruption is widely believed to be endemic in Nigeria (Akindele, 2005; Osoba, 1996). According to Salisu (2006), corruption constitutes or affects over 60 per cent of the gross domestic product of the country when estimated by the size of the hidden economy. Indeed, Transparency International has consistently rated Nigeria among the most corrupt nations in the world since it began publication of its annual Corruption Perception Index (CPI). Jang (2005) reports that corruption transverses the Nigerian political, economic, and social landscape. The education sector features prominently in corruption in Nigeria. For example, in 2004 a Federal Minister of Education was dismissed from office for attempting to bribe members of the country's National Assembly, and both the Nigeria Corruption Index and the Examination Malpractice Index show that certain forms of corruption as well as citizens' perceptions of corruption are on the increase (Independent Advocacy Project, 2005, 2007).

Corruption in Higher Education (CIHE) research is critically important on several counts. Higher education is recognized as the most fundamental instrument for modernization and development as well as cultural, economic, political, social and technological transformations of societies (Bloom, Canning, & Chan, 2006; Stephen P. Heyneman, 2011; Stephen P. Heyneman, Anderson, & Nuraliyeva, 2008; Teferra & Altbach, 2004; Waite & Allen, 2003)[1]. This transformative function is undermined where the education system is corrupt. Moreover, corruption in higher education tends to be systemic, and

> contains both immoral and illegal elements, involves minors or young people, and damages the ability of education to serve a public good, most notably the selection of future leaders on a fair and impartial basis (Stephen P. Heyneman, 2011, p. 13).

CIHE, as corruption in the education sector generally, is equally important because it mediates the production and consumption of human and social capital, the quality of which determines the quality of human life. Human capital refers to "individuals' knowledge and abilities that allow for changes in action and economic growth" (Dakhli & De Clercq, 2004, p. 108). It entails the deliberate acquisition of useful skills and knowledge as an investment. According to Schultz (1961),

> Although it is obvious that people acquire useful skills and knowledge, it is not that obvious that these skills and knowledge are a form of capital, that this capital is in substantial part a product of deliberate investment (Schultz, 1961, p. 1).

Schultz also argues that "much of what we call consumption constitutes investment in human capital" and cites as examples

---

[1] The citation software used for this work, EndNote, automatically differentiates authors of the same surname by the inclusion of their initials or given names in the in-text citation; hence Stephen P. Heyneman. This note is repeated in Chapter 4.

> Direct expenditures on education, health, and internal migration to take advantage of better job opportunities... Earnings foregone by mature students attending school and by workers acquiring on-the-job training… The use of leisure time to improve skills and knowledge (Schultz, 1961, p. 1).

Education and training, including higher education, are therefore not only a form of human capital but are agencies for developing human capital. As Dakhli and De Clercq (2004, p. 109) have argued, the development of human capital requires "formal training and education aimed at updating and renewing one's capabilities in order to do well in society". The formal acquisition of skills and knowledge entails investment of time and money as well as the sacrifices of leisure and immediate gratification for future gain. Some of our respondents characterise students as lacking the discipline to make sacrifices for future gratification and hence resort to corrupt practices to get around in school. Education as schooling involves sacrifices by sponsors as well as pupils/students and trainees. Human capital may also be seen as the body of skills and knowledge existing in an economy. Thus, human capital entails both the process of acquiring competencies and knowledge as well as the body of skills and knowledge.

Human capital requires knowledge transference and modification from one generation to another. In the modern era, it is characterised by mass hunger for knowledge, knowledge transference and modification and requires institutional structures that will serve as the mechanism for such transfer. One such institutional mechanism is the school. There are different levels of human capital. Higher Education Institutions, especially the universities, provide the highest level of human capital in the form of specialized knowledge and skills. When the transmission of knowledge and skills is corrupted in any way, the outcome or product of that process will be deficient in his/her possession of the expected competencies and knowledge with murderous consequences in certain professions and specializations.

Social capital connotes the networks of relationships that can be used for the good of individuals or groups. It is "the goodwill that is engendered by the fabric of social relations and that can be mobilized to facilitate action" (Adler & Kwon, 2002, p. 17) favourable to its possessor . Dakhli

and De Clercq define social capital at the individual level as "the resources embedded in one's relationships with others' (including) 'the actual or potential benefits that one accrues from his/her network of formal and informal ties with others" (Dakhli & De Clercq, 2004, p. 110). The social capital of an organization or group refers to the values or benefits an organization derives from "the relationships formed by its members for the purpose of engaging in collective action" (Dakhli & De Clercq, 2004, p. 110). Social capital consist in "obligations, expectations, and trustworthiness of structures" (Coleman, 1988, p. S102). Coleman illustrates these elements as follows:

> If A does something for B and trusts B to reciprocate in the future, this establishes an expectation in A and an obligation on the part of B. This obligation can be conceived as a credit slip held by A for performance by B. If A holds a large number of these credit slips, for a number of persons with whom A has relations, then the analogy to financial capital is direct. These credit slips constitute a large body of credit that A can call in if necessary - unless, of course, the placement of trust has been unwise, and these are bad debts that will not be repaid (Coleman, 1988, p. S102).

The form of social capital Coleman describes exists in Nigerian universities, colleges and polytechnics when lecturers and staff extend favours to wards and friends of colleagues which favours are expected to be reciprocated. According to him, the existence of such social capital depends on "trustworthiness of the social environment, which means that obligations will be repaid, and the actual extent of obligations held" (Coleman, 1988). Similarly, Putnam (2000) conceptualized social capital as consisting of network structures, norms, and trust that facilitate co-ordination and co-operation for mutual benefit within a society" (Dakhli & De Clercq, 2004). Social capital constitutes one of the structures of higher education student corruption in institutions which provide such social environments.

Corruption erodes the core values of the educational process and thereby undermines and distorts human capital formation and, weakens social cohesion by engendering distrust in interpersonal and intergroup relations. According to Rumyantseva (2005, p. 84), "corruption distorts civic culture by scarring the reputation of fairness associated with an educational establishment and breeding a culture of cynicism about the nation and its claimed civic virtues".

Corruption in higher education is a universal problem (Altbach, 2004; Hallak & Poisson, 2007; Hallak & Poisson, 2002; Stephen P. Heyneman, 2011; Vincent R. Johnson, 2007; Osipian, 2007b) which assumes diverse forms in the different regions of the world. According to the Global Corruption Barometer 2013 (Transparency International, 2013), on a scale of 1-5, where "1 means not at all corrupt" and "5 means extremely corrupt", respondents were asked the question

> On a scale of 1 to 5, where 1 means 'not at all corrupt' and 5 means 'extremely corrupt', to what extent do you see the following categories in this country to be affected by corruption?

The education system was rated 3.2 where the institution most affected by corruption, political parties, scored 3.8. The education sector is regarded as 'corrupt' or 'extremely corrupt' by at least 20 per cent of the population in every region of the world (see Table 1). Western Europeans are the least likely to perceive the education sector of their countries as corrupt but even here one-fifth of the population regard the sector as corrupt. The people of the Middle East and North Africa (MENA) are the most likely to regard the education sectors of their nations as corrupt. Here 7 out of 10 persons view the education sector as corrupt. In sub-Saharan Africa 55 per cent of the population perceive the education sector of their countries as corrupt. The perception level in Nigeria exceeds this regional average.

Table 1.1 Percentage of Population viewing education system of their countries as corrupt or extremely corrupt by region

Region	% of population viewing education system as corrupt or extremely corrupt
Western Europe	20
High income Asian countries	35
North America	40
Low income countries of Asia, Europe, and Central Asia Region including the republics of the former Soviet Union	50
Sub-Saharan Africa countries	55
Latin America and the Caribbean	60
The Middle East and North Africa	70

Source: Heyneman (2011)

The education sector is regarded as one of the most corrupt sectors in Nigeria. It was rated the fourth most corrupt at 63 per cent in 2005. By 2007 it has become the third most corrupt sector with 74 per cent of respondents reporting encounter with bribery in the sector (Adeniyi & Taiwo, 2011; Independent Advocacy Project, 2005, 2007). Earlier in 2002 it came a close third behind the Police and political parties as the most corrupt institutional sector in the country (Erubami & Young, 2003). The cost of corruption in the form of examination malpractice runs into billions of Naira. According to the director-general of the National Orientation Agency (NOA), examination fraudsters make N25 billion untaxed and untaxable income annually (Omokhunu, 2012b). This is beside truncated destinies as government ministries, departments, and agencies arbitrarily limit the number of candidates that private secondary schools can present for the senior school certificate examinations conducted by the West African Examinations Council (WAEC) and the National Examinations Council of Nigeria (NECO). Ostensibly, such limits are set in order to minimize chances of examination malpractice. However, to private school proprietors, the capping is intended to get students back into public schools which are being abandoned because of incessant strikes by teachers and lack of facilities (Otti, 2012). Examination malpractice also pervades the professions. Professional bodies including those of

the legal (Ughegbe, 2011) and accounting professions (G. O. Okafor, 2011), two professions that are critical to any anti-corruption effort, have become havens for corrupt practices among staff and students.

More important than corruption in higher education generally is corruption among students of higher education institutions in Africa's most populous country and a key exporter of skilled manpower to Africa, especially sub-Saharan Africa, and the rest of the world including Europe, the Americas and Australia. According to Jibril (2006, p. 930), Nigerian skilled manpower exports by 2005 to the United States of America alone totalled "174,000 information technology professionals, 202,000 medical and allied professionals, 50,000 engineers, and 250,000 other professionals including university lecturers".. While some of the skilled manpower from Nigeria trained abroad, most of them attended higher education institutions in the country before going abroad for higher degrees.

Notwithstanding the importance of corruption in higher education studies, there is a dearth of systematic research on corruption in higher education in Nigeria. The few extant studies are highly limited in scope. Largely, they are based on small samples drawn from single institutions and on aspects of examination malpractices (A. Y. Abdulkareern & T. Alabi, 2004; A. N. G. Alutu & Aluede, 2006; O. E. Alutu & Alutu, 2003; Gbenga, 2004; Ijaiya, 2004; Landu, 2004; Ofoegbu, 2009; Oredein, 2004), sexual harassment (Imonikhe, Aluede, & Idogho, 2012; Nwadigwe, 2007), and cultism (Arijesuyo & Olusanya, 2011; Kilani, 2008; Popoola & Alao, 2006) which are the most visible forms of corruption in education in Nigeria (Uzoigwe, 2007). Researchers on higher education in Nigeria pay little attention to corruption except as a factor affecting government funding of the university system and appointment of staff and, consequently, the quality of higher education[2]. This lack of scholarly interest in corruption in higher education is surprising given Nigeria's rating as one of the most corrupt countries in the

---

[2] Thus Saint, Hartnett and Strassner (2004), only recognize corruption as an external factor affecting the quality of university programmes and graduates

world[3] and Nigerians' rating of their country's education sector as the third most corrupt sector (Erubami & Young, 2003). Furthermore, researchers on Corruption in Higher Education generally focus on the consequences of political and bureaucratic corruption for access, quality and equity in higher education (Chapman, 2002; Hallak & Poisson, 2002; Vincent R. Johnson, 2007). Administrators and managers of higher education institution, lecturers and parents are also researched as corruptors of higher education (ANLC-TI, 2005). However, students hardly feature as subjects who may also contribute to the development and growth of corruption in higher education systems; only their cheating behaviour has attracted researchers' attention. My research will attempt to remedy this major neglect.

As Chapter Two will show, the study of corruption lacks general theories. The poor state of theory development in the study of corruption makes the formulation of generalizations difficult. Indeed there are few generalizations in the literature of corruption in higher education as most published works are largely descriptive and anecdotal. Be that as it may, it can be hypothesized that higher education student corruption is determined by the interplay of the personal characteristics of the student, the establishment characteristics of his/her institution and the prevailing culture of corruption in the society. This research will explore the relationship between personal characteristics of students, establishment characteristics of educational institutions, and culture of corruption in the production of higher education student corruption. The personal characteristics of the student include gender, year of study, course of study, age, perception of corruption, views on anticorruption regimes and mechanisms and socio-economic status (SES) of parents. Establishment characteristics of institutions refer to the elements of the physical, professional, legal, and social environment of the institution. Culture of corruption refers to the "norms and practices" (Waite & Allen, 2003, p. 292) by which the educational system and its products and processes are judged both by the general public and education stakeholders and on the basis of which they relate with it.

---

[3] The 2008 Global Corruption Report by Transparency International gives Nigeria a CPI rating of 2.2 as the 150th least corrupt nation and this gives the federal Government a cause to gloat over the successes of its anti-corruption campaign.

The concept of student has meaning only within the setting of an educational institution. A student is a person who is registered for a course of study in an educational institution – school, college, or university. The student in tertiary institutions is engaged in other forms of activities besides academics. The non-academic or extra-curricular activities in which higher education students engage include the various social clubs and religious associations, departmental fraternities, hostel fraternities, and numerous others which operate on the campuses of higher education institutions. Some of these have operational partnerships with agencies outside the tertiary institution. Others operate only within the confines of their institutions. But with or without external linkages, the most organized and recognized of these is student politics organized under the student union government.

The concept of *higher education student corruption therefore shall refer to corrupt behaviour on the part of a student within the general institutional framework membership of which defines him as a student.* Behaviour is corrupt by reason and to the extent of its deviation from the expected legal and social norms [standard patterns of behaviour considered normal in a tertiary or higher education institution and which are often contained in students handbooks and ethics codes] and morality. In the context of this study then student corruption entails Rumyantseva's (2005) concept of education-specific corruption as well as the concept of political corruption as used in relation to national government institutions.

1.2 Research objectives

The main objective of this study is to examine and evaluate the ideas and concepts which students hold about corruption in higher education under the rubric of higher education student corruption and evaluate its main forms and pervasiveness as well as the adequacy of extant anticorruption regimes to deal with the phenomenon. Specifically, this research will

1. evaluate students' concept of corruption against the background of relevant legislations, expert opinion, and the public's conception of corruption as well as evaluate their knowledge and understanding of corruption and its consequences

2. determine its pervasiveness and examine its most prevalent patterns in the Nigerian higher education system

3. evaluate extant corruption control legislations and mechanisms in relation to higher education student corruption

1.3 Research questions

This study has formulated the following questions for investigation.

1. How do students of higher education institutions understand and define corruption? How does their concept of corruption compare with those of "experts" and the "general public" as well as reflect the legal definitions of the concept?

2. How pervasive is higher education student corruption, and which are its most prevalent forms?

3. How adequate are existing legislations and anti-corruption mechanisms in combating higher education student corruption?

1.4 Scope of the study

This research on corruption in higher education focuses on corruption among students of higher educational institutions in Nigeria. It is concerned with the prevalence, structures, and patterns of corruption among students. It covers students in universities, polytechnics, and colleges of education owned by the Federal and state governments, drawing samples from institutions in the North-west, South-east, South-south, and South-west geopolitical zones of the country. However, innovation centres, monotechnics and interuniversity centres as well as private higher educations are not included. The innovation centres and monotechnics are excluded because they generally cater for interests similar to those polytechnics address. Interuniversity centres on their part process admission through the universities, polytechnics, and colleges of education. The non-inclusion of private higher education institutions in the sample is based on two major grounds: the relative youth of these institutions and research accessibility. There are laws, rules and regulations governing these various behaviours described as corrupt; these also fall within the scope of this study.

The study does not have a historical or longitudinal scope. However, the fieldwork was carried out in 2009 and 2010. To that extent, it can be said to deal with students in the first decade of the 21st Century.

1.5 Significance of the study

Corruption among students "destroys the minds of our children and siphons the moral values of our society' and 'is more dangerous and more serious threat to the future of Nigeria" than political and bureaucratic corruption (Balarabe, 2009). But the role that students play in corruption in higher education is under-researched. Cheating behaviour on tests and examinations, that is, examination malpractice is the only dimension of higher education student corruption that has been much investigated. With regard to Nigeria, however, even this area is under-researched. There is also the issue that the concept of corruption in higher education still lacks a precise definition and this because it has not been fully mapped. There is a great need for a deeper and more concrete understanding of corruption in higher education (Rumyantseva 2005: 85); our focus on higher education student corruption will contribute towards the completion of that map and, thereby, provide a fuller taxonomy of corruption in higher education in which all the actors are accounted for.

The focus on students is further justified on the following practical grounds. Firstly, students, as learners are the major reason for the existence of higher education and higher education institutions. Higher education, both as industry and institutions exists essentially to meet the needs of learners for higher educational qualifications. The above statement does not deny or underestimate the fact that higher education also exists to meet the needs of industry, economy and society for qualified and competent and capacitated manpower. The fact of higher education being student demand pulled is highly evident in the programme population structure of higher education institutions whereby the institutions are unable to adhere to policy guidelines on admission ratios between science and technology subjects on the one hand and arts and social sciences on the other. In Nigeria universities are expected to reserve 60% of available spaces for science and technology students and 40% for the humanities and social sciences but enrolment is lopsided in favour of the humanities and social sciences. Thus, out of about 2.35million students

14

that enrolled in Federal Universities between 2001 and 2005, close to 1.1 million were registered in law, the social sciences, arts, education, administration and management sciences. The structure of demand for higher education is partly the result of corruption among politicians and administrators in charge of primary and secondary education in the allocation and utilization of resources. Lacking science teachers and laboratories in their secondary schools, most students simply must do those subjects where their basic literacy skills are better able to help them prepare themselves for public examinations.

The second major reason for focusing on students is that students are scarred by higher education corruption for life whether a law catches up with them or not. For example, in April 2012, the Hungarian President Pal Schmitt resigned as president following allegations that he plagiarized his PhD dissertation 20 years before (Rothschild, 2012). The previous year in Germany, defence minister and most popular politician, Karl-Theodor zu Guttenberg was brought down by plagiarism committed in 2006 (Pidd, 2011). Here in South Africa, the University of Zululand was in the news in 1996 for awarding bogus degrees to students some of whom had become "senior civil servants" (Frost, 16 August 1996). More recently, the Mail & Guardian reported that "Alfred Nevhutanda is believed to have been awarded his professorship on the strength of a paper that he had allegedly heavily plagiarised" (Shamase, 2012). Professor Nevhutanda is chairman of the National Lotteries Board of South Africa. So issues of academic fraud such as plagiarism, no matter how long they may go undiscovered, ultimately brings down their perpetrators.

Leakage of examination question papers could lead to cancellation of entire examinations with grave financial and career truncating consequences for victims – those who did not participate in examination malpractice but are affected by the cancellation of an examination. Thus, the career of Jordan Lundrigan (alongside others) at the College of Massage Therapists of Ontario was placed on hold "because questions to the written portion of the exam were leaked" by somebody (Cameron, 2012). Public examination bodies also routinely cancel or seize the results of candidates at entire examination centres without discriminating between those who may have perpetrated malpractices and those who did not. According to the Chairman of the Exams Ethics

International, Mr Ike Onyechere, "Exams bodies cancel an average of 429,000 results yearly, which translates to N21 billion wastage," (Nigerian Tribune, 11 May 2010). As often happens, many of these results would belong to candidates who did no wrong except to have written their exams at a centre at which there had been malpractices. And in the degree scandal involving the University of Zululand, Frost (1996) reports the spokesperson of the university as declaring that

> the discovery of "bogus degrees" had "been devastating for our image". "Donors are considering withdrawing their funding," he said. "And what is worse, *the majority of innocent students who have earned their degrees must pay the price for what their less responsible predecessors have done*. [Emphasis mine]

Leakage of examination question papers also makes nonsense of qualifications issued on the basis of such examinations as holders of such qualifications cannot be said to possess the skills and competences the certificates attest to. Institutions associated with leaked examination papers also tend to lose their integrity as well as that of their credentials. In the process, as reported regarding the University of Zululand, donors may withdraw funding with all the attendant implications of underfunding. Leakage of examination also puts society in jeopardy when unqualified professionals are released onto the labour market and are employed on the strength of unmerited certificates.

Students suffer the consequences of or are victimized by their own and others' corruption. The devastating damage to the image of the University of Zululand and the effect of the scandal on how employers perceive qualifications of that institution is a case in point. With regard to Nigeria, both Akinyanju (2002) and Omokhunu (2012a) have shown how the quality of the products of educational institutions impact their employment prospects.

Understanding the nature, form, extent of and the reasons for higher education student corruption will help in the design and implementation of corruption preventive and remedial measures as against the current anti-corruption measures that are generally *post-facto* corruption and punitive

without being deterrent. Such understanding will also expose any predisposing factors and red flags, which it will then be possible to correct. This reckons with the views and interpretations of corruption that students hold. It is important that we have understanding of what students say make them to indulge in corrupt practices knowing that discovery can result in heavy penalties including imprisonment and the truncation of their career prospects. This research will provide such understanding by the articulation of students' ideas and concepts of corruption as well as a fuller map of higher education student corruption; it will also suggest possible directions for the design and implementation of anticorruption policies and mechanisms in the higher education sector.

1.6 Overview of the Study

This report is structured into eight chapters. Chapter One is the introduction to the dissertation. It provides a general background to the study, setting out the research problems, research objectives, and research questions. The significance and scope as well as limitations of the research are also stated in Chapter One.

Chapter Two reviews the literature on corruption in higher education in Nigeria. A key feature of the literature on corruption in higher education in Nigeria is its near exclusive focus on examination malpractice, especially with regards to students' involvement in and with the phenomenon. The chapter captures the state of the literature on corruption in higher education. It demonstrates the universality of corruption in higher education against the background of a lack of agreement on the meaning of corruption. The chapter also demonstrates the diversity of forms of corruption among students of higher education institutions in different parts of the world; examining and analysing the causes and consequences of the various corrupt practices observed among students before zeroing in on corruption in Nigerian higher education.

Chapter Three presents an overview of the Nigerian higher education system. It also provides analyses of the constitutional and legal framework of higher education as well as the national policy on education. It examines the organizational structure and size of the higher education system with a view to emphasizing how these conduce to corruption or otherwise. It shows that

the country has experienced a very rapid growth both in student population and number and type of higher educations; that the country has one of the largest higher education systems in Africa in terms of number of institutions. However, demand has continued to outstrip supply as, despite their large numbers, the institutions are generally small and that this translates into lack of absorptive and carrying capacity. The relatively small size makes competition for admission very intense and open to sharp practices. The chapter also presents an analysis of the administration and management of higher education institutions with special emphasis on the regulatory agencies.

The theoretical framework for the study is dealt with in Chapter Four. This chapter examines the place of ontology and epistemology in the construction or selection of a theory and the relationship between ontology and epistemology on the one hand and theoretical framework and methodology on the other hand. It argues that ontology precedes epistemology which in turn determines the choice of theoretical framework and methodology. It provides reviews of some theories that have been used in corruption research before presenting and making a case for the political economy approach.

Chapter Five lays out the methods and methodology. Basically, the chapter discusses the two main methods of research, qualitative and quantitative, types and sources of data, the research design, methods and technics of data collection and analysis, the instruments of data collection, and the research setting. It draws attention to the importance of meaning data to a study such as the present one as corruption perception tends to be underpinned by much subjectivity.

Chapter Six addresses the research questions which this study set out to find answers to. It presents and analyses students' definitions of corruption; identifies and discusses major themes in their concept of corruption, attempting a classification of higher education student corruption in the process. It also presents and analyses their perception and evaluation of corruption in their respective institutions. The chapter also presents and analyses students' explanation for why some of them participate in corruption. The variables in terms of which they formulated their explanations are classified into the personal characteristics of students, the establishment

characteristics of their institutions, and the culture of corruption – the sociocultural milieu of the institution.

Chapter Seven examines Nigeria's anticorruption regime with emphasis on how it relates to higher education student corruption. It identifies various legislations relating to corruption and the institutional mechanisms for dealing with corruption. It also presents and analyses students' assessment of the effectiveness and adequacy of the anticorruption regimes in their institutions.

Chapter Eight summarizes and draws the conclusions of the study. It also makes some recommendations regarding possible future directions for research into higher education student corruption and how to effectively combat corruption among students.

1.7 Chapter summary

This chapter provided a background to the study. It discussed the emergence of corruption as a major theme in education research and of educational corruption in corruption studies. it stated the research problem, research objectives, and research questions. It also discussed the significance of study, focusing this on the livelong impact of corruption on students. It also gave an overview of the structure of the thesis. The next chapter introduces the theoretical framework for the study.

Chapter Two: Theoretical Framework

2.0 Introduction

> *Again, anything composed of contraries is naturally corruptible, since it contains the cause of its corruption within itself. The human body is composed of contraries. It is therefore naturally corruptible (St Aquinas in Fairweather, 1954, p. 105)*

This chapter opens with the above epigraph from Thomas Aquinas on corruption for three reasons: Aquinas' view that "anything composed of contraries is naturally corruptible" is an apt condensation of the idea of corruption as a conflict phenomenon and forms an appropriate backdrop to the position of this study on the theory of corruption – that corruption is contradictory to the expected normative or actual frame of reference for right processes, procedures, and ends of a human community. In addition, his contention that "anything composed of contraries is naturally corruptible" holds true not only of the human body but also of associations of human bodies (human beings). This is because human interaction on any relatively stable and orderly basis over time requires the existence of rules, if even unspoken ones, guiding such interaction. Discourses on corruption uncover contradictions among the values that govern societies in different parts of the world such that what is corrupt in one society is incorrupt in another. For example, Peil (1976), shows that villainous conduct of politicians who take public funds to develop their areas are commended by people from such areas and condemned by people from other areas- thus demonstrating relativity in what is considered corrupt even in the same country. According to her,

> The public's attitude toward wealth obtained through corruption generally depends on its ultimate destination. The officer who shares reaps popularity; the 'big man' who keeps it for himself… makes enemies who will long remember his unsocial attitude (Peil, 1976, p. 65).

The contraries of Aquinas are of interest for a third reason in a discussion on theoretical framework for the study of corruption: the divergences and diversities of theoretical approaches

to the phenomenon of corruption. This chapter attempts an explication of the relationships among ontology, epistemology, theoretical framework and methodology.

2.1 Ontology, Epistemology, Theory, and Methodology

The essence of a theoretical framework in a thesis or dissertation, - (or any research for that matter), is to indicate the philosophical assumptions underpinning the investigation and to relate the theoretical aspects of the study to its practical components. Such assumptions relate to a researcher's ontological and epistemological standpoint. Ontology is the theory of being which addresses the basic question of what reality consists of. Epistemology is the theory of knowledge and addresses itself to how knowledge may be acquired. In the context of political science research, ontology has a somewhat more specific meaning. According to Hay

> Ontology relates to being, to what is, to what exists, to the constituent units of reality; political ontology, by extension, relates to political being, to what is politically, to what exists politically, and to the units that comprise political reality (2006, p. 80).

Hay argues further that "ontology logically precedes epistemology" (2006, p. 81) and that without ontological assumptions, no political analysis can proceed. In other words, the theoretical approach of an investigation is informed by ontology and an epistemology. The theoretical approach also simultaneously entails the methodology and methods of the study (Crotty, 1998). According to Porta and Keating (2008b),

> 'Approaches' is a general term wider than theory or methodology. It includes epistemology or questions about the theory of knowledge; the purposes of research, whether understanding, explanation or normative evaluation; and the meta-theories within which particular theories are located (p. 1).

The theoretical framework, as the approach a researcher uses to frame his/her investigation, has an ontological base, that is, assumptions about the nature of reality or the existential status of the object of the research: does the object of his/her investigation exist independently of his/her

representation of it? Porta and Keating (2008a) identify two ontological questions and two epistemological issues in the social sciences and the perspectives from which these have been approached in social science research. The ontological questions are (1) "Does social reality exist?" and (2) "Is reality knowable?" The epistemological issues concern "the relationship between the scholar and his/her object" and the forms of knowledge. According to them, both the ontological and epistemological questions have been addressed from positivist, post-positivist, interpretivist, and humanistic perspectives. They note that to the positivist, reality is objective, knowable, and easy to capture while the post-positivist holds that reality exists objectively and is knowable but not easy to capture.

With respect to this study (but at a more general level of the phenomenon, corruption, under investigation), the key ontological questions will be "does corruption exist?" and second, "is it possible to know of its existence?" Ontologically, this study takes the existence of corruption for granted. The study argues that even though the definitional debate appears to make corruption an epiphenomenon, its deleterious and debilitating effects are too real to be debated. So, corruption is taken to exist objectively notwithstanding the controversy about its content. The research is also of the view that it is possible to know about corruption, that is, corruption is knowable. The nominalist-realist debate[4] about whether corruption is a socially constructed phenomenon or whether it exists independently of human knowledge is therefore of less importance here than the question of how and why we may know about its existence.

But the ontology of the researcher is important for the epistemological stand of an investigator regarding the object under investigation. Where the object is taken to exist objectively, the researcher is said to be positivistic ontologically; and where existence of the object is assumed to be socially constructed, then the researcher is said to be a constructionist. In other words, there are two primary approaches to ontology, positivism and constructivism.

In particular, the Marxist political economy that frames this study, based as it is on historical materialism, is concerned more with change than with whether or not social reality exist

---

[4] Nominalists argue that reality while realists hold that reality exists independently of observation

independently of the observer. The Marxist position on ontology notwithstanding and considering developments in Marxism, the ontological standpoint of this research will bear stating. The object of this research is higher education student corruption. The ontological question then is "does higher education student corruption exist independently of the researcher's representation of it?"

With regard to the epistemology of higher education student corruption, the position taken in this research is that the object of the investigation exists independently and that the role of the researcher is to discover the forms of its existence and attempts an explanation of his observation. The epistemological question is also answered in the affirmative, that is, that it is possible to acquire knowledge about higher education student corruption. The methodology and methods for doing so are discussed in Chapter Five below

It is noteworthy that despite the many theoretical approaches to the study of corruption, there is no "theory of corruption" in a strict sense. For example, a theory may refer to "logically organized set of propositions that serves to define events, describe relationships among events, and explain the occurrence of these events" (Shaunhnessy, Zechmeister, & Zechmeister, 2000, p. 533). Theory may also be defined as "a set of concepts plus the interrelationships that are assumed to exist among those concepts. A theory also includes the consequences that we assume logically to follow from the relationships proposed in" it (Selltiz et al, 1976 p.16). A theory of corruption must thus enable us to describe the phenomenon completely, explain its causal path, and predict its occurrence. A theory is also expected to provide understanding of how the various observations and pieces of data in a study relate and fit together. It should also enable the researcher to focus effort on what is important as well as decide the proper questions to ask with a view to generating new knowledge. The theoretical approaches De Graaf (2007) has identified fall short in various ways from what a theory should do.

2.2 Theories of corruption

There are many 'theories' of corruption. De Graaf (2007) identifies six broad theoretical approaches to the study of corruption, namely: Public choice theory; Bad apple theories;

Organizational culture theories; Clashing moral values theories; The ethos of public Administration theories; and Correlation 'theories'. The first four of these have informed research on cheating behaviour among students in one way or another and are therefore reviewed briefly before the presentation of the theoretical framework for this research which is political economy. In the following discussion, no attempt is made to deal with specific formulations of the theories considered. Rather, the broad features of the various groups of theories are highlighted.

2.2.1 Public choice theory

This is one of the major theories that have been used in the analysis of corruption. Public Choice theory "uses the methods and tools of economics to explore how politics and government works" (Butler, 2012:21)[5]. It applies the methodology of economics to the study of politics. It analyses corruption at the level of the individual. It posits that the individual is "a rationally calculating person who decides to become corrupt when its expected advantages outweigh its expected disadvantages" (De Graaf, 2007, p. 47). Rose-Ackerman (2006), Klitgaard (1998), and Tanzi (1998) among others view corruption through public choice theory. In their view, corruption is an intentional act based on rational calculations of interests. Corruption becomes attractive when the state loses the trust of the people in managing "private property transfers" (De Graaf, 2007, p. 47). It is further argued that "trust within close personal relations increases the chances of getting the benefits from the delivered corrupt services or reduces the chances of getting caught". Public choice theory, by focusing on the individual corrupt official and lacking interest in "general determining factors,… is insensitive to the larger social context" (De Graaf, 2007, p. 48). It is unable to account for what triggers the corrupt behaviour.

In the study of higher education student corruption, an application of public choice theory will thus require that the corrupt conduct of the individual student be the focus. Many studies of

---

[5] Public choice theory is different from political economy, Marxist and non-Marxist, in that it does not seek to understand political phenomena through studying economic relations of production as Marxists do or study the relationship between economics and politics as liberal political economists do; rather, it only applies the methodology of the discipline of economics to the study of political phenomena.

cheating behaviour have indeed tended to follow this path. However, the main problem with this approach is that except by increasing the cost of cheating, it becomes difficult to prevent cheating. Public choice theory cannot properly appreciate the role trust plays because it is unable to account for the development of trust. Additionally, the cost of investigating and prosecuting individual cases of corruption among students will be too prohibitive to contemplate in terms of financial and human costs.

2.2.2 Bad apple theories

Bad Apple theories study corruption "at the level the individual corrupt agent for the causes of corruption"(De Graaf, 2007, p. 49). Bad apple theories posit that corruption is rooted in "defective human character and predisposition toward criminal activity". People act corruptly because they have wrong moral values such as greed. Bad apple theories attribute corruption in organizations to "a few unsavoury individuals…lacking in some personal quality, such as moral character" (Trevino & Youngblood, 1990, p. 378). Criminological approaches to corruption are relatives of bad apple theories. De Graaf informs us that bad apple theories have no empirical bases of support. He also argues that it is an oversimplification to hold that corruption results only or mainly from desire for material gain as the official could "be seeking a higher social standing, excitement, work pleasure or a cure for frustration" (De Graaf, 2007, p. 50) and that perpetrators of crime pursue a variety of different goals. Lacking an absolute universal morality, it will be difficult to even agree on what is corrupt. And in the absence of agreement as to what is corrupt, those who are prosecuted, even when pronounced guilty by a competent court of law, may continue to deny any wrongdoing.

A question could be posed as follows: Do students view corruption from this perspective? As will be shown in Chapter Five, many of them attribute corruption among students to lack of moral upbringing and family background. Their concepts of corruption also demonstrate a subscription to this viewpoint. In a deeply religious society such as Nigeria, this should not be a surprise. However, empirical studies have shown that morality operates in the lives of students at

two levels: declaratory and practical levels and that there are differences between these two. One study found that "the high rate of cheating manifested by the students was not consistent with their expressed negative attitude to cheating" (Olasehinde-Williams, Abdullah, & Owolabi, 2003).

2.2.3 Organizational culture theories

Unlike public choice and bad apple theories which focus on the individual corrupt agent, organizational culture theories deal with corruption at the meso or intermediate level of the organization in which the agent is located. This group of theories assumes that corruption results from a mental state instilled in individuals by group culture and not from faulty character or wrong morality. Organizational culture theories seek to account for the context that produces corrupt behaviour. According to one author,

> If we scan these activities then it is plain that we are no longer dealing with individuals seeking solely personal gain but with group behaviour rooted in established arrangements and/or extreme practices that have to be located within the structures and culture of police work and the police organization (Punch in De Graaf, 2007, p. 51)

Organizational theories seek to describe the conditions under which corruption may occur but are unable to account for why particular individuals - and not others - are corrupt. They simply assume that "people in organizations act on the particular dynamics of the organization" (De Graaf, 2007, p. 52).

In applying organizational theory to cheating among students, Gallant and Drinan, argued that it "provides a more robust framework" for the analysis of student cheating problem by situating it in "the context of the educational institution as a complex organization affected by people, time, and social forces" (Gallant & Drinan, 2006, p. 841). It conceives of educational institutions as complex organizations "because a number of different subgroups are central to its functioning"

and that complex organizations have "an innate tendency … to survive". They further contend that organizational theory

> offers the best prospects for contextualizing the problem and suggesting management strategies that are conducive to more systemic organizational change. Viewing the problem through this lens helps move educational leaders beyond reacting to vested interests to creating generative responses for change (Gallant & Drinan, 2006, pp. 842-843).

2.2.4 Clashing moral values theories

This group of theories studies corruption at the macro level of the society. Members of this group locate corruption in societal norms and values which influence individuals to act in a corrupt manner. It arises from the "clash of values connected to one's private and one's public role" (De Graaf, 2007, p. 53), which necessitates the making of a choice. The clash is between values and norms which govern obligations to close relations such as family and friends and those which govern official conduct. These two sets of values constitute two separate moralities, micro morality governing relations among people in a common social circle such as family and friends. Micro morality is said to be based on informal norms which generate very strong obligations "characterized by reciprocity: we help friends and family just as we expect them to help us" (De Graaf, 2007, p. 54). Macro morality bases "the legitimacy of its norms on institutions of the law, a universal system of formal norms" (De Graaf, 2007). It is "characterized by the complementarity of rights and duties as the primal modus of social ties [*and*] depends on societal trust in the compensating mechanisms of social institutions" (De Graaf, 2007, p. 54). It is postulated that macro morality operates at a higher level of abstraction than micro morality and that this limits the internalization of its norms. It is further held that the two moralities are mutually antagonistic and that this antagonism leads to conflict "when persons see themselves in two social roles with opposing moral obligations: the macro morality of public officials requires them to treat different persons equally, where the micro morality requires them to favour friends wherever possible" (De Graaf, 2007, pp. 54-55). Corruption is conduct which upholds micro morality over macro morality.

The theoretical approaches above notwithstanding, the study of corruption is short on theories; not because there are not many articles and books with the word theory in their titles or that there is nothing called "theory of corruption"[6]. It also does not mean that there are no theoretical perspectives on corruption. Rather, what is implied is the absence of a "theory of corruption" in the sense of a grand theory. But as Farrales (2005, p. 1) rightly observes, corruption "research has been disjointed, and no unified model or theory of corruption currently exists". Heidenheimer (2004, p. 107) observes that the concept of corruption has not enjoyed a central "place in theoretical discussions by political theorists", and that it has become (in practice) an essentially "fragmented concept, exhibiting only a 'family resemblance' among various uses of the term in official, popular and media contexts". So, the concept of corruption is not only contested; it is also fragmented. The foregoing theories not only attribute corruption to different factors but also have different ideas on how it can be controlled. The only commonality among the various theories "is that corruption is wrong; it is always a deviation from right moral conduct" (De Graaf, 2007, p. 44). In particular, focusing as they are on officials, the above theoretical approaches are deficient in accounting for corruption among students.

In particular, higher education corruption is not described theoretically (Osipian, 2007a, p. 313). At most there are conceptual frameworks that are still being articulated. Such conceptual frameworks have been adapted from various disciplines to study slices of corruption and corruption related phenomena such as bribery, mainly from the fields of criminology and economics. This is the case with the various classificatory schemes by Tanaka (2001), David Chapman (2002), Rumyantseva (2005), Hallak and Poisson (2007), and Heyneman (2007). It is perhaps the continued dominance of conceptualizations rather than theories that has caused corruption to remain a contested concept. The public office approach adopted by Hallak and Poisson (2004 and 2007), Heyneman (2004), and Tanaka(2001) among others is not suitable for the study of higher education student corruption because students are not "officials" in a Weberian sense. Models derived from the economics of crime and applied to the study of

---

[6] For example, Sims, Gong, & Ruppel (2012), Van Roy (1970), Caiden (1988), Precupetu (2007), Farrales (2005) McMullan (1961), and Graaf (2007) among others contain the word theory in their titles.

educational corruption, for example, de Fatima Brandao and Teixeira (2005), and Bunn, Caudill and Gropper (1992) are limited to the study of cheating behaviour among students. The above conceptualizations and approaches to corruption fail to capture the complexity of higher education student corruption. But as the contraries of Thomas Aquinas suggest, there is need for a frame of analysis that is able to naturally accommodate contradictions and this political economy founded on historical materialism does.

2.3 Types of corruption

The concept of student corruption represents a complex reality because higher education students occupy multiple roles within and outside the institution as members of which they are defined as students. They may have filial affinities with lecturers or staff (Stephen P. Heyneman, 2007), belong to diverse and multiple campus and inter-institution fraternities as well as geopolitically or ethnically defined ascriptive primordial associations. They may also be athletes representing their institution in competitive intercollegiate sports. Each of these roles creates their own opportunities for corrupt practices as the rules governing conduct in each of them tend to be particularistic and to discriminate between insiders and outsiders.

Higher education student corruption may be differentiated by context and organization. Context here refers to dimension [or facet] of the student's life in which corruption occurs. Dimensions of students' life include academic activities [all activities which directly contribute to the certification of a student such as learning, research, and examinations] and non-academic activities [those concerned with creating conducive atmosphere for learning, research, and examinations to take place such as accommodation, health and recreational services among others]. Contextually then one may differentiate between academic and non-academic corruption. In terms of how corruption is organized, higher education student corruption may be distinguished into individual and organized corruption.

2.3.1 Academic and Non-academic corruption

Higher education student corruption is academic[7] when it relates to conduct in study, research, and examinations; or non-academic when it relates to welfare services and extracurricular activities on campus. Higher education student non-academic corruption is generally mediated by the position students occupy in campus organizations and includes extortion, fraud, bribery, nepotism, embezzlement, abuse of property, and other forms of abuse of office for private gain, or simply by the role of student. Many of these forms of behaviour are also illegal but (when caught) student-culprits are not normally prosecuted through the criminal justice system. Students also take positions on political and other topical issues of the day supporting either one or the other pre-defined positions; identifying with a cause formulated on subjective grounds. Positions on public policies were taken on the basis of the socio-political context of such policies and the demographics of the nation rather than on the basis of principles; such demographics were often ethnically or regionally aligned (Okafor, 1971).

2.3.2 Individual corruption

Higher education student corruption is individual when it is perpetrated by individual students without a need for any form of collaboration with other students. Individual corruption is incidental (Cheung & Chan, 2008b). Being incidental means that individual corruption is opportunistic; it entails seeing opportunities and grabbing them for one's self. As George Washington Plunkitt once said, "I seen my opportunities and I took 'em" (Riordon, 1963). The availability of opportunities is, in other words, a necessary condition for individual corruption. Individual corruption is non-collusive, to borrow a term which has been used to describe a form of government corruption in which officials coerce bribe out of those requiring their services (Bardhan, 1997; Shleifer & Vishny, 1993; Smith, Obidzinski, Subarudi, & Suramenggala, 2003). However, the concept of individual corruption is preferred because the student corruptor is rarely

---

[7] Academic corruption includes cheating on tests and examinations, plagiarism, copying from someone else's examination answer book, purchasing term papers/essays, stealing a test, forging a university document, collaborating on homework and take-home exams when individual work is specified, handing in the same work for two separate classes, inappropriately utilizing the services of a tutor or a writing centre (Pincus and Schmelkin, 2003). It also includes impersonation, paying bribes for grades, copying into an exam, collusion,

in a position to force his/her will on faculty and staff. The essence of individual corruption is that the student is entirely on his/her own in executing the corrupt practice. Moreover, individual corruption may be expressed in other forms besides bribery. Individual higher education student corruption may be of different degrees of seriousness and prevalence in terms of the level of impunity of those engaged in it and how widespread it is in an institution.

2.3.3 Organized corruption

Higher education student corruption is institutional or organized when it requires collaboration, collusion, or co-operation among students to be perpetrated. The concept of organized corruption used here is closer in meaning to the concept of 'collusive corruption' (Bardhan, 1997; Shleifer & Vishny, 1993; Smith et al., 2003) than individual corruption is to non-collusive corruption. However, although the organization of higher education student corruption may generally involve staff and faculty, it can also be entirely limited to students such that no form of collusion is required from officials for its perpetration. Higher education student corruption may also involve collaboration, collusion or cooperation between staff or lecturers and students operating as syndicates; in this case also it will be described as organized.

2.3.4 Systemic and non-systemic corruption

Whether individual or organized, higher education student corruption may be systemic or non-systemic[8], that is, it may be widespread or rare. When individual corruption is isolated and the chances of detection, apprehension, and punishment of culprits are high, higher education student corruption is non-systemic.

> Corruption in a society can be rare or widespread. If it is rare, consisting of a few individual acts, it is straightforward (though seldom easy) to detect and punish. In such cases non-corrupt behaviour is the norm, and institutions in both the public and private sectors support integrity in public life (World Bank, 1997, p. 10)

---

[8] The World Bank distinguishes between systemic and rare corruption instead systemic and non-systemic (World Bank, 1997) but this study prefers to speak in terms of systemic and non-systemic because the definition of rare corruption is too narrow.

According to the World Bank, "corruption is systemic (pervasive or entrenched) where bribery, on a large or small scale, is routine in dealings between the public sector and firms or individuals" (World Bank, 1997). In the context of this research higher education student corruption is systemic where it permeates most conducts of students within their institutions as though it is the norm rather than the exception. The probability of detection, apprehension, and possible prosecution is a function of establishment characteristics of an institution.

Similar to individual corruption, organized higher education student corruption may be systemic or non-systemic. It is non-systemic when it is limited to parts of the institution or certain areas of activity such that major players within the system are opposed to it and the institution has in place transparent procedures through which perpetrators can be expected to be detected, apprehended, and prosecuted. It is systemic when it permeates most aspects of students' conduct within their institutions such that it is expected; that is, students frame their conduct on a belief that corruption is normal.

The foregoing paragraphs indicate that higher education student corruption is a composite phenomenon and a polysemous concept. It is also complex and dynamic. The complexity and dynamism of higher education student corruption requires an organizing principle at the very least to make for a proper understanding of the phenomenon. Variants of the student development theory, economics of crime, and organizational theory among others have been used to address aspects of the modes of behaviour this study describes as higher education student corruption but none is able to map and account for higher education student corruption fully

2.4 The Political Economy of Higher Education Student Corruption: an overview

The political economy approach has enjoyed much popularity in the study of corruption, especially public sector corruption (Rose-Ackerman, 1978, 1999, and 2006; Osoba, 1996; Elliot 1997; and Jain 2001). It has also been used in the study of higher education with particular focus on the relationship between higher education and the state (Barry, 1983; Carnoy, 1985; Estevan & Verheyden, 2005; Matveev, 2000; McCorkle, 1971; Pasha, 1995; Peterson, 1988; Torres &

Schugurensky, 2002; Watson, 2011). It may also be used to capture the dynamic structure of higher education student corruption which is hypothesized to occur at the interface of the personal characteristics of the student, the establishment characteristics of the institution and the prevailing culture of corruption in the society.

The choice of political economy as the theoretical framework for this research is founded on its ability to capture and make sense of social contradictions. It is perhaps the capacity of political economy to make sense of different kinds of situations that have given birth to the so many "political economy of …" assessments including political economy of corruption studies. Political economy is not just a theory in which to frame our study of corruption among students of higher education institutions in Nigeria, it also embraces specific methodologies that distinguish it.

Political economy is simultaneously a discipline concerned with the interrelationship of economics and politics and a set of methodological approaches in the social sciences. Classical economists such as Adam Smith regarded it as "the science of managing a nation's resources so as to create wealth" (Weingast & Wittman, 2008, p. 3). It is regarded as the parent discipline of both political science and economics; today, many universities offer courses having political economy in their titles. As a methodological approach, political economy has been defined as "the methodology of economics applied to the analysis of political behaviour and institutions" (Weingast & Wittman, 2008, p. 3). But political economy is not only a methodology of economics anymore as it is widely applied across the social sciences today.

Political economy is characterised by an analytical approach which treats the economy from the point of view of production rather than from that of distribution, exchange, consumption or the market. It does not ignore distribution and exchange but analyses these in relation to the role they play in the production of the material needs of a society, including the need to reproduce and expand the means of production themselves (Robotham, 2005, p. 41)

It has been argued in section 2.2.5 that though higher education is more similar to commerce than manufacturing in its operations, it is - in terms of its products- more akin to manufacturing. This study therefore views higher education primarily from the perspective of production. Higher education student corruption occurs in students but it is a product of the educational process that produces them. The dynamics (among other things, students are simultaneously producers and consumers, their relationships with other forces evolve over time, and power configurations within higher education institutions are subject to shifts and shocks) and the context (the policy, political, legal, social, and economic environments) of the production of higher education are best captured by the historical materialist approach, political economy using the methodology of historical materialism.

2.4.1 Elements of the political economy of higher education student corruption

The elements of the political economy of higher education student corruption refer to the characteristics of the educational process which determine the quality of educational products and in terms of which educational institutions are evaluated. These elements which are attributes of students, the educational institution, or the society are outlined in the paragraphs that follow. Attributes of students are referred to as personal characteristics of students, those of the institutions are referred as establishment characteristics, and those of the society are captured under culture of corruption.

Student related characteristics include gender, course of study, year of study, grade point average, students views of the seriousness of cheating and their perception of how frequently the phenomenon occurs as well as the seriousness of punishment among others (A. Y. Abdulkareern & T. Alabi, 2004; Bernardi, Metzger, & Bruno, 2004; Brandão & Teixeira, 2005; Jimoh et al., 2009; Kerkvliet, 1994; Donald L. McCabe, Trevino, & Butterfield, 2001; Olasehinde-Williams et al., 2003; Oredein, 2004). With respect to this study, concerns about the ethics of prying into the personal performance of students as well as lack of opportunity to verify results that students would provide, grade point average was not examined. Discrimination among course and year of study was also limited; they are therefore not used in the analysis. However, the personal

characteristics of students of gender, perception of corruption, and views on adequacy of punishment were elicited and analysed.

Personal characteristics of students fall into two major categories. These are personal characteristics in the family setting and personal characteristics in the setting of their higher education institution. The emphasis in personal characteristics is aimed at capturing the context in which the student is situated because as Osoba (1996, p. 372) rightly pointed out, corruption "is intelligible only in its total social context" and this makes political economy especially suitable for framing our study.

The establishment related characteristics include class size, teaching style, existence of a code of honour, academic rank of teacher, existence or otherwise of verbal warnings about the consequences of being caught cheating, number of versions of the exam, kind of exam, space per student in the classroom (Brandão & Teixeira, 2005). In this study, reports of corruption in the media and survey reports captured in the Corruption Perception Index of Transparency International and the Nigeria Corruption Index published by the Independent Advocacy Project are used to estimate culture of corruption.

2.4.2 In defence of the political economy approach

Political economy focuses on the interconnectedness of economics and politics especially in respect of the state and might be thought inappropriate for the analysis of higher education student corruption as students are generally regarded as victims of others' corrupt behaviour.

However, further reflection will show that students engage in corruption for reasons of present and future economic security by exploiting the role of student, ordinarily a social category, but which in this context has the character of a social class (Ake, 1978). In this context, classes are not viewed in relation to ownership of means of production. Rather, focus is placed on relations of exploitation in which terms we can distinguish between an exploiting class and an exploited class (Ake 1978:62). Ake further divided the exploiting class into two broad categories: exploiters by class situation and exploiters by class position. According to Ake, exploiters by class situation include everyone who is a capitalist proper, owning capital and employing wage

labour whereas exploiters by class position refer to "those who, while not legally owning means of production, play a major role in administering or actualizing exploitation, and maintains its conditions" (Ake, 1978, p. 62). Exploiters by class position are mediators and beneficiaries of exploitation.

Students are generally beneficiaries of exploitation; they enjoy representation without taxation in governance structures. They are stakeholders who enjoy shareholder rights and privileges. In more specific terms, students engage in the administration and rent or sale of government property (Stephen P. Heyneman, 2004). With respect to school administrators, one scholar has made the following observation: "In some instances, a school administrator, or university rector may rent school property, or use it for manufacturing or agriculture commerce and not report the income" (Stephen P. Heyneman, 2004, p. 644). In some Nigerian universities, the Student Union Governments issue permits for businesses to operate in campuses at a fee. Besides such licensing being abused sometimes, the properties being leased belong to the institution and not to the student body. They also generally canvass different sets of rules for their engagement with state and society. For example, one of the major issues in the 1978 "Ali Must Go" crisis was "the scrapping of car loans for graduating students" (Bukuola Akintola, 2010, p. 107). The car loan, to all intents and purposes, is a post graduation issue that do not affect the educational processes students undergo. It can also be said to be a privilege. The inclusion of the scrapping of car loans in the list of demands may have been due to the realization of the fact the students will lack a platform to agitate for its reinstatement after graduation. This makes students exploiters by class position following Ake's formulation of classes.

Political economy provides a good framework for a critical appreciation of higher education in Nigeria irrespective of whether one is concerned with its origins and development under British colonialism or its post-independence developmental trajectory including the availability, content, structure, type and quality of higher education. With regard to the origins of higher education for example, many writers have located the establishment of both the Yaba College and the University College Ibadan in the nationalist struggle. Thus the establishment of the first university in Nigeria, the then University College Ibadan and its timing, are said to be a response

to decades of nationalist demands for higher education institutions in the country, intervention of the Carnegie Corporation and the fear that the nationalists would look to the communist Soviet Union for higher education (O. Anyanwu, 2010; Nwauwa, 1993). According to Anyanwu (2011, p. 5), the subscription to a "philosophy of using mass university education to promote nation-building" by postcolonial governments was because of ethnic, religious, geopolitical and other cleavages that threatened to deprive the country of a national identity. The interposition of one year of compulsory National Youth Service between graduation from higher education institutions and the labour market is also an effort to use education to bridge the national divide arising from educational imbalance. For example, the National Youth Service Corps scheme was established partly out of the experience of the Nigerian Civil War (1967-1970) and the events leading to that war (which events had shown in stark relief the extent to which objective differences among the ethnic groups of a country can be subjectively manipulated to serve divisive political interest), in order "to reconstruct, reconcile and rebuild the country after the Nigerian Civil war" (National Youth Service Corps, 2014) . The objectives of the scheme as set out in the NYSC Decree also speak to the focus of the scheme on dealing with the divisive cleavages in the country. Thus NYSC Decree provide in Section 3(f-h)

> (f) to develop common ties among the Nigerian youths and promote national unity and integration
> (g) to remove prejudices, eliminate ignorance-and confirm at first hand the many similarities among Nigerians of all ethnic groups
> (h) to develop a sense of corporate existence and common destiny of the people of Nigeria

The cleavages which NYSC and similar other schemes were targeted at had their roots in the political economy of the country rather than in any primordial differences among the various ethnic groups that were brought together to form the country (Nnoli, 1980).

In particular, the political economy approach has been used in studiesof higher education research to focus attention on the "relationship between state and market forces as they interact with the institutional alliances that are to be found in the higher education sector" (Filippakou, Salter, & Tapper, 2012, p. 107). According to Carnoy (1985, pp. 157-158),

> The political economy of education … treats education as a factor shaped by the power relations between different economic, political and social groups. How much education an individual gets, what education is obtained and the role of education in economic growth and income distribution are part and parcel of these power relations. [It] explains the education-economy relation in the context of conflicting power relations and the playing out of these conflicts in the state.

The political economy of education may focus on education in general or on a specific level or aspect of education. In our discussion of higher education as a public good we highlighted the central role the state plays in not only regulating but also providing higher education and how governments have long monopolized the supply of education goods and services (Stephen P. Heyneman, 2009). The focus of the political economy of education has been largely on the role of government in determining the nature, type, amount, and quality of education that will be available in a country and to whom. Governments also largely determine the importance and valorisation of education, especially higher education. The key subjects for study in the political economy of education have included the economic value of education, the role of education as an allocator of economic roles, the relationship between education and income distribution, the relation between education and social class, and the relation between education and discrimination. The political economy of higher education is also concerned with access, equity, and quality in higher education and seeks to explain these within historical struggles by new and emerging social classes against the dominant and oppressor classes of their day. Thus Windolf (1997) argues (in respect of the expansion of higher education in Germany, the United States and Japan) that

> the ruling classes of Germany and Japan frustrated the democratic expansion of the higher education system, first preventing the entry of women and always impeding the advance of the working class. Whenever expansions have occurred, …, they have been the result of political struggles: by the bourgeoisie against the aristocracy; the working class against bourgeois ascendancy; and women against male hegemony (cited in Robertson, 1998, p. 224).

However, while issues of access, equity, and quality which are central in the study of corruption in higher education, are also the focus of the political economy of higher education, the conduct of students within higher education institutions has not featured much in the political economy of education. Therefore the application of the political economy approach in this study will be nuanced to reflect the nature of higher education student corruption. The need for a political economy of higher education with a focus on students cannot be overemphasized. This need can be attributed to a number of factors. Firstly, higher education is given an instrumental conception as a creator of human capital through the skills it instils in students. Since the colonial era, higher education has been viewed as an instrument for the development of skilled manpower the economy requires to enhance productivity (J.O. Enaohwo, 1985). Indeed, Enaohwo (1985, p. 238) argues that the colonialists regarded education as "an instrument for domination and the perpetuation of Western culture" as reflected in the main objectives of education in colonial Nigeria. These objectives were:

> (a) to increase the stock of semi-skilled labour because skilled people could provide the manpower to administer and exploit the colonies; and (b) to create a cultural and political atmosphere favourable to the maintenance of the colonial system by emphasizing the superiority of Western culture, and the virtues of submission, obedience and collaboration with the colonial system (J.O. Enaohwo, 1985, p. 238).

These objectives are no different from those the National Policy on Education advances. Just as the colonial government sought to use education to perpetuate colonialism, the post-colonial state in Nigeria aimed at using education to inculcate "national consciousness and national unity' as well as 'the right type of values and attitudes for the survival of the individual and the Nigerian society" (Federal Republic of Nigeria, 1981). The instrumental conception of education means that education in Nigeria has had a dialectical character since the colonial era. On the one hand, the colonialists saw it as an instrument of exercising domination (J.O. Enaohwo, 1985) and on the other hand, the colonial subjects saw it in the means of obtaining freedom from colonialism and white supremacy (Okeke, 1986).

Secondly, students constitute a distinct social category. Students are generally regarded as radical and progressive change agents in the society and their support cultivated by those challenging the status quo. They (for their part) also seek collaborative relationships with social forces capable of advancing their interests. So, to a large extent, students are a social class defined by a common consciousness rather than by a relationship to the ownership of the means of production. As such, they engage in social struggles to promote and or protect their interests, sometimes against the interests of other progressive social forces.

Students are a parasitic class, which is a non-productive class that lives off the labour of the working class. The concept of parasitic class has ordinarily been used to describe the bourgeoisie engaged in primitive accumulation using the instruments of political power (Mahmudat, 2010). Students are a parasitic class because they are part of the intelligentsia which is "parasitic on the 'fundamental' classes who engage in or organize production" (Jones, 2007, p. 110). The conceptualization of students as a parasitic class is in contrast to the claim of such authors as Federici (2000, p. 89) who contend that "African students have undergone a process of proletarianization, in the wake of the Structural Adjustment that places their concerns and struggles on a continuum with those of workers". Their struggle against the state often takes the form of demands for increased expenditure of public financial resources on education and competes with the interest of workers, especially those in the lower income brackets, but also with the interest of every taxpayer who would have to carry an additional tax burden. They live off the labour of others. They are exploiters by class position.

Students have class consciousness and are a class for themselves as they form associations to pursue and promote their collective interest**.** They organize to acquire for themselves special regulations and services not available to non-students. They generally hold and maintain an antagonistic position to authority structures both within the higher education institutions membership of which defines their studentship and in the wider society while forming personal collaborationist alliances with powerful interests in such authority structures. Though they generally align or identify with radical causes, they have also been known to support governments to which they are ideologically opposed but which identify with their causes over

certain issues. Thus, when an attempt was made to co-opt the National Association of Nigerian Students (NANS) to rise against the Minister of Justice and Attorney General of the Federation over the crises in the Judiciary, its president, Mr Bassey Etuk Williams declared at a press conference that:

> NANS has not found anything incriminating against the Attorney-General and so, will not join any person or group of persons to accuse, abuse or vilify the Honourable Attorney-General of the Federation as far as these issues are concerned. We, hereby, pass our own vote of confidence on the minister (Oyekola, 2011).

They are self-interested and generally use any available instrument, including organized violence, to pursue their interests. In this regard, students of the Rivers State University of Science and Technology, Nkpolu, Port Harcourt resorted to violence in their search for an end to a prolonged strike by academic staff of the institution. They destroyed "the official car and documents belonging to the striking lecturers of the state university" (Nwankwo, 2011). Students who ordinarily identify with lecturers' and other labour organizations in face-offs with government, on this occasion planned a demonstration against the Academic Staff Union of Universities (ASUU) of the institution and when the student leadership failed to obtain a mandate for the demonstration, it embarked on violence against the lecturers' union. According to the Tide

> An authoritative source in the university told The Tide that following the disagreement over the demonstration, a faction allegedly led by the president of Student Union Government moved to the senior staff club of the university where the ASUU official car was parked and destroyed the vehicle including vital documents belonging to ASUU in the institution (Nwankwo, 2011)

The action of students over strike by lecturers is not limited to one institution. For example, students of four state owned tertiary institutions in Edo State, the State's colleges of education at Igueben and Ekhiadolor, the College of Agriculture, Iguorhiakhi and the Institute of

Management Technology, Usen carried out a joint protest over an indefinite strike by their lecturers, barricading the Benin-Ore Expressway at Dawson Road in Benin and issuing the state government and the striking lecturers a three day ultimatum to reach an agreement or face more intense protests (Aluko, 2014)

In the early years of independence students and student organizations were often co-opted by political parties and civil society organizations in their struggles in the democratic space. Students under the banner of the National Union of Nigerian Students, the predecessor to NANS, were mobilized against both the 1962 Nigerian census and the Anglo-Nigerian Defence Pact. According to Apostle Hayford Alile (2010),[9]

> during the 1963 national census, I [Alile] was asked to manage the rebellion of Nigerian students against the conduct of the census, because it was fraught with irregularities. Also, the issue of Anglo-Nigerian Defense Pact was not palatable to the Nigerian students and I have to do something about it.

> Then late Chief Obafemi Awolowo was in detention and he made a copy of the first agreement available to us at the student level. We went through it and we were not very happy. It was signed by Awolowo, Ahmadu Bello and Nnamdi Azikiwe and the document gave the full right to the British to use our airspace to test their air force planes. We felt this has negated the whole idea of our independence significantly and we mobilized the student movement and the country knew that we were serious and the Anglo-Nigeria Defence Pact was cancelled. Same thing with the census figures.

Students are thus potent social forces that are fully conscious and organized for the attainment of their collective and individual interests. The enduring impact of students on national social, political, and economic life is not limited to Nigeria-type societies of the early years of independence but extends to the industrialized countries of Western Europe and North America.

---

[9] How we opposed Anglo-Nigeria Defence pact-Alile (2), http://www.vanguardngr.com/2010/05/how-we-opposed-anglo-nigeria-defence-pact-alile-2/

In fact by the time university students were resisting the Anglo-Nigeria Defence Pact of 1962, students in Europe were already revolutionizing university governance structures and claiming a stake therein (Maassen, 2000). Moreover, the conduct of students is to a large extent forged by the socio-political and economic milieu in which they live.

2.5 Chapter summary

This chapter presented some of the contending perspectives to the study of corruption, drawing attention to their deficiencies in the study of higher education student corruption. It reviewed public choice theory, bad apples theories, organizational theories, and clashing moralities theories. It emphasized the important connection among ontology, epistemology, theory, and methodology. It elucidated the concept of higher education student corruption and discussed the key concepts that can enhance understanding of the phenomenon. These related to the organization and pervasiveness of the phenomenon. The chapter then presented the political economy approach and outlined the elements of the political economy of higher education student corruption. It also presented arguments in defence of the appropriateness of the political economy approach for the study of higher education student corruption. Chapter Three presents the research design and methodology for executing this research on higher education student corruption.

Chapter Three: Research Design & Methodology

3.0 Introduction

Research methodology deals with solving the research problem of a study systematically. This chapter sets out the procedure the researcher followed in the collection and analysis of data as well as the assumptions which underpinned his decisions. The chapter discusses the design and methodology used in this study, the population and sampling design, the methods and techniques of data generation, collection and analysis as well as the research instruments.

Corruption is a very complex subject and its discourse tends to generate intense emotions. It is indeed very difficult to be indifferent or neutral when corruption is being discussed. One may develop a feeling of hopelessness about the context of corruption or anger at those alleged to be perpetrating corrupt practices unless one is very distant from the context. In other words, a person's response to corruption may depend often on whether and how he/she is affected by a corrupt transaction. Although corruption generally has far-reaching direct and indirect implications and ramifications, the perception of 'affect' may be totally subjective and short-sighted. Given the emotive character of corruption coupled with the fact that it is a phenomenon of the dark and of essentially contested conceptualizations, the study of corruption (especially at the micro level) is fraught with methodological challenges. In the context of this study, the challenges include sample selection and whether to use a quantitative or a qualitative approach - the two basic paradigms or approaches to research (Kothari, 2004). Given the nature and objectives of this study the researcher decided on the use of a combination of the two approaches as well as different methods of data collection and analysis. Moreover, a complex and multidimensional phenomenon such as higher education student corruption requires different types of data sets for its elucidation.

Quantitative research may tell much about the spread of corruption and how it is related to other phenomena but it is weak when one is interested in answering questions of why people engage in corrupt behaviour. For example, de Graaf and Huberts (2008) opine that quantitative methods have difficulty in speaking to the nature of corruption. According to them,

Quantitative research does not seem to tell the whole story about the nature of corruption; it necessarily ignores the characteristics and details of the context of each corruption case. Quantitative research cannot account for contingency, which is so important for social research — especially corruption research — because of the complexity of the phenomenon of corruption (de Graaf & Huberts, 2008, p. 640).

Despite this deficiency of quantitative methods in corruption research, most corruption data come from quantitative research. De Graaf and Huberts (2008) add that qualitative research

is fitting when not much is known about the phenomenon that is being researched or when the phenomenon is so complex that neither the variables nor the exact relationship between the variables is fully definable… as is the case in research on the nature of corruption (de Graaf & Huberts, 2008, p. 641).

Therefore, with that rationale in mind, this research adopted both quantitative and qualitative methods of data collection.

3.1 Approaches to Research

Though mixed methods research (sometimes referred to as triangulation) has been gathering momentum over the past couple of decades, there are two main approaches to research, quantitative research and qualitative research.

3.1.1 Quantitative research

The quantitative approach to research "involves the generation of data in quantitative form which can be subjected to rigorous quantitative analysis in a formal and rigid fashion" (Kothari, 2004, p. 5). Quantitative research involves explaining phenomena by collecting numerical information that are analysed using mathematical methods, especially statistics. Muijis (2010, p. 2) holds that "quantitative research is essentially about collecting numerical data to explain a particular phenomenon, particular questions seem immediately suited to being answered using quantitative

methods". Quantitative methods refer to those research techniques that are used to collect quantitative data from the elements of a population under investigation. Quantitative data are data that can be sorted, classified, and measured. At some levels of measurement, quantitative data can be subjected to complex mathematical operations. Quantification involves counting the number of population elements that possess a characteristic or variable of interest; it also involves determining the amount or quantity of the variable or characteristic that an element possesses. Quantitative data are collected with a view to enabling the researcher to make generalizations across a group of people, make predictions, or make causal explanations and establish connection among variables. Hence, sampling is very important in quantitative research. The sampling design for this study is described under research design in Section 4.4. The main quantitative method of data collection used in this study was survey research in which questionnaires were administered to students and staff of universities, polytechnics, and colleges of education.

3.1.2 Qualitative research

This is the second major approach to research. According to Kothari,

> Qualitative approach to research is concerned with subjective assessment of attitudes, opinions and behaviour. Research in such a situation is a function of researcher's insights and impressions. Such an approach to research generates results either in non-quantitative form or in the form which are not subjected to rigorous quantitative analysis (Kothari, 2004, p. 5)

Qualitative research methods are not easy to define. According to Snape and Spencer (2003, p. 2), this is because "the term is used as an overarching category, covering a wide range of approaches and methods found within different research disciplines". Denzin and Lincoln (2011b) describe it as an open-ended project which resists "attempts to impose a single umbrella-like" definition over it. Notwithstanding, they provide a generic definition of qualitative research. In their words:

Qualitative research is a situated activity that locates the observer in the world. Qualitative research consists of a set of interpretive, material practices that make the world visible. These practices transform the world. They turn the world into a series of representations, including fieldnotes, interviews, photographs, recordings, and memos to the self. At this level, qualitative research involves an interpretive, naturalistic approach to the world. This means that qualitative researchers study things in their natural settings, attempting to make sense of or interpret phenomena in terms of the meaning people bring to them (Denzin & Lincoln, 2011a, p. 3).

Denzin and Lincoln add that qualitative research is multimethod in focus as it combines "multiple methodological practices, empirical materials, perspectives, [which bring] rigor, breadth, complexity, richness, and depth" (Denzin & Lincoln, 2011a, p. 3) to an investigation. Among the methods of data collection closely identified with qualitative research are "observational methods, in-depth interviewing, group discussions, narratives, and the analysis of documentary evidence" (Snape & Spencer, 2003, p. 3). Qualitative methods are well suited to addressing "research questions that require explanation or understanding of social phenomena and their contexts" and for exploring complex issues (Snape & Spencer, 2003, p. 5).

The qualitative methods used in this research include interviews and focus group discussions as well as analysis of documents. Interviews were held with deans of student affairs at two universities in Nigeria and with a former dean of student affairs at a third university. Interviews were also held with student affairs officers at two institutions and with a deputy provost who doubled as dean of students in a college of education. The interviews were semi-structured and were based on similar questions that had been used in the focus group discussion. The interviews were aimed at eliciting respondents' opinions on and knowledge of corrupt behaviour among students. They were also designed to tap information on institutional responses and response mechanisms to corruption among staff and students.

3.2 Types of Data collected

This researcher collected different types of data for this study. Data may be defined as "factual information used as a basis for reasoning, discussion, or calculation" (MerrianWebster, 2014).

He also used different data collection methods, techniques and instruments. With reference to types of data, the primary distinction is between primary data, secondary data and tertiary data in terms of the agency of data collection and state of processing and between quantitative and qualitative data with regard to the nature of the data, (that is, whether or not they can be subjected to mathematical operations). Primary data are 'new' data generated by the researcher(s) "responsible for the design of the study, and the collection, analysis and reporting of the data" to answer specific research questions (Blaikie, 2009, p. 160). Secondary data refer to "raw data that have already been collected by someone else, either for some general information purpose, … or for a specific research project"; while tertiary data refer to "data that have been analyzed either by the researcher(s) who generated them or by a user of secondary data" (Blaikie, 2009, p. 160). For this study, primary data were generated and collected using questionnaires containing structured and semi-structured items aimed at eliciting the characteristics and opinions of respondents from the respondents comprising students and staff of universities, polytechnics, or colleges of education. Beyond the primary distinction among primary, secondary, tertiary, quantitative and qualitative data, data may also be distinguished on the basis of the functions they perform. Functionally we may distinguish among behavioural data, meaning data, locational data, and knowledge data (Leege & Francis, 1974).

Behavioural data relate to information on the behaviour or conduct of individuals, groups, events, or organizations. Direct observation is the optimal method of collecting behavioural data but issues of accessibility and temporality may compel a reliance on self-reports and recollections of the actors or on the reports of other observers. In the study of corruption, behavioural data are difficult to generate because it is almost impossible to observe corrupt behaviour real time except in cases of entrapment by law enforcement agencies. Hypothetically, and with specific reference to higher education student corruption, it is possible to observe the behaviour of subjects in some forms of corruption such as examination malpractices in the form of cheating if the timing of data collection coincides with examinations or tests. However, this may be considered unethical since respondents may not be aware that they are being observed for research purposes and not just being invigilated and also lack the power to refuse participation unless they want to discontinue writing their examinations. However, self-reports

which are elicited by means of questionnaires and interviews have been used to collect behavioural data on corruption as bribery and such indices as the bribe payer index which capture bribing experience of respondents are one form of behavioural data published on corruption. The Corruption Perception Index, a composite index published by Transparency International, relies on self-reports elicited through instruments that capture respondent behaviour with regard to the payment of bribes.

Locational data place actors in some personal, social, or environmental contexts. Personal location entails listing the personally held attributes of the unit such as standard demographic items of age, sex, occupation, income, education, and family size. Social location refers to properties or attributes of the unit in relationship to some social object and includes marital status, social class, and organizational affiliation. Other forms of locational data include size of city and degree of urbanization, and neighbourhood characteristics. Locational data about individuals and organizations may be collected through self-reports, documentary sources, or observation; but physical and environmental locational data may be obtainable from published sources. In this study the locational data of interest relate to certain individual characteristics of students such as gender, parental background, and year of study and such establishment characteristics of higher education institutions as location and type of higher education institution.

The remaining functional types, knowledge and meaning data are especially important for this research. Knowledge data has to do with the amount of information respondents have about a subject under investigation. Knowledge may refer to adaptive or instrumental capabilities possessed by individuals or within groups, nations, or cultures. Ordinarily, obtaining knowledge data entails examining the performance of participants on a test instrument in a task oriented situation. Both the focus group discussions and the questionnaire were designed to tap respondents' knowledge about corruption as they (the respondents) were asked to define and explain what corruption meant to them as well as to cite examples of corrupt practices or conducts. The questionnaire also contained items testing students' knowledge of and attitude

towards rules and regulations relating to corruption as well as the handling of corrupt practices in their institutions.

3.3. Sources of data

Sometimes sources of data are confused with types of data. To the extent that sources from which the data for a study are obtained are used as the basis of classification, sources of data can also be regarded as types of data. However, this study wishes to emphasize and distinguish sources as distinct from the functions data perform as well as their nature. Section 5.2 addressed types of data based on the functions the data perform. This study uses sources of data to refer to the sources from which the researcher obtained factual information for answering his research questions. They are normally classified on the basis of distance from the researcher in terms of their collection, the forms in which the data were preserved, and the degree of processing they have undergone. In general, there are two main types of sources of data – primary sources in which the researcher or his/her agents collect the relevant information from the population of study and secondary sources in which the researcher relies on information collected by others for their own purposes.

3.3.1 Primary Sources

Primary sources of data refer to "firsthand recordings of data or the actual data themselves" (Sproull, 1995, p. 156). According to Sproull (1995, p. 156) "The chief characteristics of primary sources are (1) being present during the experience, event, or time and (2) consequently being close in time with the data". One important essence of primary data therefore is that they are generated and collected by the researcher or his/her agents for some specific purpose; that is, the researcher engages with the sources of such data without an intermediary. This means that documents "created contemporaneously with the event under discussion' or a 'direct quote from such a document is classified as a primary source" (Williams, 2007, p. 56). Following from the above, this study is based on primary sources as students, faculty, and staff of higher education institutions *in situ* supplied the data on which the analysis is based. Other primary sources utilized for the study include minutes and reports of investigative panels appointed to inquire into

students' disciplinary matters.

3.3.2 Secondary Sources

In addition to data from primary sources, the Internet, journals, books, newspapers and magazines, and official publications and documents constitute a veritable mine of information for this study. The official documents and publications included reports of visitation panels and accreditation committees to the selected institutions, minutes of institutional organs having responsibility for students' academic and non-academic conduct including examination malpractice committees and *ad-hoc* disciplinary committees, and press releases.

3.4 Research Design

Research design refers to the plan of action for the conduct of a research. Selltiz, Wrightsman, and Cook (1976) define research design as "the arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure" (Selltiz et al., 1976, p. 90).

3.4.1 The Study Population

The population of the study is the roughly 1.3 million full-time registered sub-degree and degree students enrolled in higher education institutions in Nigeria. These are organized into and defined by membership of higher education institutions. Therefore, though the unit of analysis is the individual student, s/he was studied within the framework of higher education institutions. As mentioned in previous chapters, under Nigerian law, higher education institutions comprise universities, polytechnics, colleges of education, and monotechnics. Universities are classified as first, second, and third generation universities based on when they were established. All the first generation universities are owned by the Federal Government while both the state and federal governments own second generation universities. In Nigeria, universities are also classified into federal, state, or private institutions in terms of ownership; traditional/conventional/comprehensive, technological or agricultural in terms of research orientation. Colleges of education and polytechnics are also classified on the basis of ownership

into federal, state, and private. Colleges of education are further categorized as technical, special or conventional. The polytechnics are distinguished by their programme emphasis – some oriented to business studies while others focus on technological subjects.

The monotechnics basically offer professional manpower training in agriculture and agriculture related professions, health and medical fields, hospitality, security, business and commerce, and technology and engineering among others. Generally students in monotechnics are either already in employment in the relevant government agencies or would be absorbed on successful completion of their training, and hence could be expected to be subject to less pressure than students of other types of higher education institutions. It may be argued that job responsibilities and prospects for promotion may make monotechnics students vulnerable and prone to higher education student academic corruption. It may also be argued that they may be more capable of driving corruption as bribery – by reason of their paid employment. However, in the event of inability to successfully complete their studies, monotechnics students have a fall-back position which regular students lack and the costs of discovery for them may be higher as it could entail dismissal and loss of face. Moreover monotechnics programmes are run in association with registered professional bodies of practitioners that regulate entrance into the given profession. Also, in comparison to polytechnics, colleges of education, and universities, their population is negligible.

3.4.2 Sample Design

The institutions for inclusion in the study were purposively selected. The use of purposive sampling is justified on a number of different grounds. Firstly, representative probability sampling is not a critical element in qualitative research. Secondly, the researcher is very knowledgeable[10] about students of Nigerian higher education institutions through decades long and diverse association with them. Thirdly, there are issues of funding and logistics which prevented the use of random or probability sampling. In this regard one may note the lack of

---

[10] An aspect of this knowledge relates to access criteria and the diversity of the culture area served by an institution

reliable data on tertiary enrolment in Nigeria and, therefore, the lack of a sampling frame, a necessary requirement in probability sampling.

However, though randomness is not required in qualitative research, the researcher selected the institutions for inclusion in this study to reflect the ethnic and cultural heterogeneity of the country, type of ownership, size and type of location, and geopolitical zone against the background of the need to reflect the ethnic and cultural diversity of the country and availability of resources. Moreover, the researcher sought to attain some level of representativeness by taking the catchment areas of institutions into account in selecting those of them to be included in the study. This, it was hoped, will address (to some extent) criticisms of qualitative research such as lack of rigour or generalizability of findings (Bricki & Green, 2007). Institutions in the same locality were assumed to be subject to the same prevailing culture of corruption. The size of the locality of an institution was also taken into account in drawing the sample for this study. This is because as Cabelkova and Hanousek (2004, p. 10) show, "one's corruption perception[11] is influenced by the size of one's town of residence. In large cities, as opposed to small towns, many factors facilitate the spread of corruption and are likely to be reflected in corruption perception".

Three key issues predominate in corruption in higher education studies – access, quality and equity (Stephen P. Heyneman, 2004). Each of these constitutes a corruption node but the dimension of immediate concern to this study is that of access which is subject to direct government intervention. In order to ensure sample representativeness, the access dimension of corruption in higher education is of special importance to this study. Nigerian education policy makers attach great importance to the issue of access and have formulated strategies to achieve equality of access for users of educational institutions. The key strategy is encapsulated in the concept of catchment area. The concept of catchment area is used to denote the "geographical area to be serviced by an institution to ensure easy accessibility to potential users" (Adeyemi, 2001, p. 311).

---

[11] Perception of corruption is one of the factors regularly identified in the literature as contributing to participation in corrupt behaviour.

Nigerian Federal HEIs admit students from across the country and each, especially the universities, can be regarded as a microcosm of the Nigerian society. In particular seven Federal universities,[12] namely, University of Ibadan, University of Abuja, University of Port Harcourt, University of Agriculture, Abeokuta, University of Agriculture, Makonde, Michael Okpara University of Agriculture, Umudike and Federal University of Petroleum Resources, Effurun (JAMB, 2009)[13] have the entire country as their catchment area. Three of these institutions, those at Ibadan, Abuja, and Port Harcourt are conventional universities while the rest are specialized universities. The University of Port Harcourt - by reason of its location in an ethnically heterogeneous ethnic minority state - can be reasonably assumed to reflect the ethnic diversity of the nation more than the older and premier university of Ibadan which has a predominantly Yoruba population. Rivers State where the University of Port Harcourt is located is made up of over 22 distinct ethnic groups; a fact which speaks to the cultural heterogeneity of the environment of this institution. It also has the character or being home to all who dwell in it. In addition, Port Harcourt, as the headquarters of Nigeria's oil industry attracts people from all parts of the country. The conventional universities also generally have faculties running the same or similar courses as the specialized universities. Consequently, drawing our sample from the conventional universities will not seriously detract from its representativeness. But more than that the state universities are generally specialized and therefore any differences in the characteristics of students in terms of courses of study can be reasonably accommodated by the inclusion of state universities of technology in the study.

The policy of catchment area or locality was intended "to ensure national integration", but has instead opened up opportunities for "internal manipulation of admission by many universities" (Adeyemi, 2001, p. 311) because users may not be able to travel to distant places to take up offers of admission. It is also said to have led to some universities becoming overpopulated while others are under-populated; a factor which has implications for quality. The use of catchment

---

[12] However, four other universities, the University of Ilorin, Usmanu DanFodio University, Sokoto, University of Nigeria, Nsukka, and Federal University of Technology, Minna, each services states from two zones while the Ahmadu Bello University, Zaria serves all the nineteen northern states

[13] http://www.jamb.org.ng/brochure/html/Page%201.htm (Accessed 7/2/2009)

area as a framework for admission thus mediates corruption in access to HEIs and can also impact equity and quality. Moreover, the argument that users do not travel long distances to take up offers of admission, if true, would speak against the stratification of the institutions in terms of geopolitical zones. However, the use of purposive sampling method speaks to this issue – I have highlighted the special status of the University of Port Harcourt located in the capital of Rivers State. The University of Port Harcourt is also an especially appropriate sample because it decertified or withdrew the qualifications of 7,254 students who had graduated from it for corruption related reasons (Kigotho & Lloyd, 2004).

The other federal universities covered in this study are Ahmadu Bello University (ABU), Zaria, the Federal University of Technology, Akure (FUTA) and the University of Nigeria Nsukka (UNN).,. ABU has the 19 Northern States of Adamawa, Bauchi, Benue, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Nasarawa, Niger, Plateau, Sokoto, Taraba, Yobe and Zamfara as its catchment area; the locality of FUTA is the South-West geopolitical zone comprising Ekiti, Lagos, Ogun, Ondo, Osun and Oyo states. The catchment area of the UNN comprises the Igbo speaking states of the South-East and the ethnic minority states of the South-South geopolitical zones. The states of the South-East geopolitical zone are Abia, Anambra, Ebonyi, Enugu, and Imo while those of the South-South are Akwa Ibom, Bayelsa, Cross River, Delta, Edo, and Rivers.

The Federal universities selected for this study besides the University of Port Harcourt thus represent the entire country in terms of the area from which they are to draw the bulk of their students[14]. ABU, UNIPORT and UNN are conventional comprehensive universities, while FUTA is a technological university. ABU and UNN are first generation universities, UNIPORT a second generation university and FUTA a third generation university. The institutions selected for this study thus represent the Nigerian Federal university system in its entirety.

---

[14] The extent to which they do this is, however, contingent on a complex of other factors. The issue here is that be design, they are to admit students from all over the country.

Other institutions covered by the study are the Rivers State College of Education, Port Harcourt (now Ignatius Ajuru University of Education), Federal College of Education (Technical), Omoku; Rivers State Polytechnic, Bori; Osun State Polytechnic, Osun State College of Education; and Federal College of Education, Zaria. At the time of the field studies in Nigeria the state universities contiguous to the federal universities were not in session, some having been shut down for close to a year by their owner governments because of strikes by various unions. This state of affairs accounts for the under presentation of state universities in the study sample.

The researcher wishes to emphasize that it is difficult to find reliable population related data in Nigeria. Scholars, government functionaries and the popular press all recognize this data deficit. According to the Presidential Task Team on Education, "That data (both hard figures and soft explanations) are virtually non-existent and un-useable in the education system is an undisputed truism" (Federal Ministry of Education, 2011, p. 17). As *The Nation* newspaper commented in an editorial opinion,

> OUR data and record-keeping crisis has always been with us... At 50, we have never had an accurate census, people die daily in Nigeria and they are literally cast into the earth unrecorded. Thousands are born daily without records. No one in Nigeria can tell with certainty, how many policemen, soldiers or civil servants there are today in service (The Nation, 2011).

One may add to the above list the number of students enrolled in higher education institutions. The dearth of reliable population related data in Nigeria maybe be attributed to the use of population as a criterion for allocation of revenue as well as seats in the legislature and that this could pose a problem in the selection of which cities to include in our sample. A related problem is the essentially rural character of the Nigerian society whereby over half of the people live outside urban areas and even those nominally resident in cities retain active social, economic, political, and cultural ties with home towns and villages. One way to reflect the urban-rural divide is to distinguish between capital cities and non-capital cities but also to rely on such sources as the World Gazetteer and mapsof.net for estimates of the size of cities.

Establishment characteristics of educational institutions depend to a large extent on the level of funding and autonomy an institution enjoys as well as the pattern of management they have. These in turn are largely determined by the ownership and type of institution. Individual owners determine policies relating to admission, quality and equity subject meeting to the minimum academic standards set by regulatory agencies. For those institutions owned by government, the criteria for access are determined by public policy while for private higher institutions, the ability to pay the relevant fees is the main discriminator among otherwise qualified candidates. Consequently it was assumed that choosing institutions owned by different agencies in a set of contiguous areas will enable us to determine how the various predicted factors interact and produce higher education student corruption.

3.5 Methods & technics of data collection

Opinion surveys, tracking surveys, expert interviews, document analysis, social audit, public experience and hard data surveys, and focus group discussions (FGD) are the tools of choice in the study of corruption in Nigeria (Transparency International, 2007c, p. 91). The various organizations and agencies producing indices of corruption in Nigeria usually adopt one or more of these tools. For example, Transparency International uses surveys; so also do the Independent Advocacy Project and the World Bank. In the education sector, the Exams Ethics Project uses document analysis to construct its Examination Malpractice Index (EMI), which is the ratio of the number of candidates involved in examination malpractice to the total number of candidates entered for the examination. For example, where 100 candidates out of 10,000 registered for an examination engage in examination malpractice, the EMI is 0.01. Transparency International and Independent Advocacy Project on their part regularly feature the education sector in their survey of corruption in Nigeria. The Nigeria Corruption Index (NCI), published by the Independent Advocacy Project is based on public experience and hard data survey[15]. This study employed opinion and experience surveys, FGDs/interviews, and document analysis for data collection.

---

[15] However, what the Independent Advocacy Project regards as hard data is claim of payment of bribes to government officials by respondents in a survey (Independent Advocacy Project, 2007). Such claims were generally not substantiated and do not also capture the instigator of the bribe.

3.5.1 Focus Group Discussion

Focus Group Discussions, interview surveys, and personal interviews were the main method of qualitative research employed in this study. FGD entails the use of small groups of respondents, generally between 12 and 15, to elicit information about a topic. They "are a form of group interview" in which participants discuss a topic supplied by the researcher and come up with a collective view of the subject of interest (Cohen, Manion, & Morrison, 2007, p. 376). FGDs provide "a space in which people may get together and create meaning among themselves rather than individually" (Babbie & Mouton, 2001, p. 292) and make the observation of interaction on a topic possible. In FGDs,

> the participants interact with each other rather than with the interviewer, such that the views of the participants can emerge – the participants' rather than the researcher's agenda can predominate. It is from the interaction of the group that the data emerge (Cohen et al., 2007, p. 376).

FGDs "provide direct evidence about similarities and differences in the participants' opinions and experiences as opposed to reaching such conclusions from post hoc analyses of separate statements from each interviewee" (Morgan, 1997 quoted in Babbie & Mouton, 2001, p. 292)

Focus group discussions were conducted at FUTA, UNN, UNIPORT, FCE (T), Omoku, and RSUOE. The FGDs were based on a schedule of questions/topics.

FGDs were held with students' representatives comprising of officials of student union government, departmental students associations, and campus associations and clubs and course representatives. Students for participation in focus group discussions were identified using official structures of higher education institutions in the study areas. In some institutions[16] where the researcher was officially denied access to students as at a federal university in the south-west geopolitical zone, 'guerrilla strategies' were engaged to reach student leadership and the student body. The 'guerrilla strategies' entailed sneaking into the campus to interview staff,

---

[16] This was the case at the Federal University of Technology, Akure.

administering questionnaires on students and staff, and holding focus group discussions using research assistants drawn from the locality. This situation is being highlighted because it impacted the usability of the data from the focus group discussion in this institution – no suitable venues could be found for the focus group meetings outside of the student union building which was very boisterous and therefore the meetings were held there despite high noise levels. Coupled with the use of tape recorder at this meeting, transcribing the discussion posed a lot of difficulties and much information was lost in the process.

The purpose of the FGDs was to identify and formalize students' concept and idea of corruption as well as elicit information about their personal experience and knowledge of corruption. It was based on a set of topics/questions which participants were invited to respond to. Students were selected to participate in the focus group discussions on the basis of their roles as leaders in various areas of campus life but especially in political leadership. At one institution, the participants comprised members of ad-hoc independent electoral body constituted to conduct elections into the Student Union Government and Course Leaders. In another institution, the participants included officials of the Student Union Government, Hall Governments, and civic organizations on campus. These groups of students were assumed to have direct knowledge of the various forms of activities in which students participate by virtue of their position in the governance structures of their institutions. Governance structure is here used broadly to include every authority structure, whether formal or informal, and however constituted. Thus, a course representative may be elected by his/her course mates or be appointed by the lecturer but once selected, s/he comes to form a node in the authority structures of the institution.

FGDs and personal interviews were also held with faculty and staff in student affairs departments, the examinations and records departments, and the secretariat of university senates and academic boards of colleges of education and polytechnics to discover their concept of, and explanation for, higher education student corruption. Student affairs departments are generally responsible for regulating student activities on campuses in the Nigerian higher education system including registration of student associations, supervision of the student union government, and allocation of students to residencies. They also liaise with the academic offices to call up

successful graduates for the compulsory one-year National Youth Corp Scheme. The secretariat of senates and academic offices track all matters pertaining to the admission, registration, performance, discipline and welfare of students since it is the bodies they service that are responsible for setting policy guidelines and oversee implementation. The exams and records units of higher education institutions keep track of the academic records and performance of students.

According to Miller (2006), interview surveys and FGDs can provide much information about corruption: 'variations in corrupt behaviour', 'motivation and excuses for corrupt behaviour', 'the evaluation and interpretation of corrupt practices', and 'the significance of corruption' as a mode of interaction. Interview surveys and FGDs are the best methods for studying public perception of and attitude towards corruption. Though they are not without problems as "corruption surveys may skew the results merely by asking the questions" (W. L. Miller, 2006, p. 166), they complement each other well enough as to ameliorate whatever shortcomings they may have individually. In our experience, FGDs are a most valuable method of collecting data on corruption especially on practitioners' concept and theory of the phenomenon. Focus group discussions help provide answers to what the study population regard as corruption as well as their explanation of its causes and consequences.

On the whole eight focus group discussions were held with students and staff. One focus group discussion each was held with students at the following institutions: IAUE, Uniport, UNN, FCE (T), Omoku, ABU, and FUTA. One focus group discussion each was also held with staff at Uniport and IAUE. Interviews were held with (1) one student affairs officer each at ABU and IAUE, (2) one serving dean of student affairs at IAUE and Uniport, (3) one former dean of student affairs at FUTA, (4) a chairperson of examinations malpractice panel at IAUE, and (5) a deputy provost at FCE (T), Omoku. Subjects for interview were recommended by their institutions except for FUTA.

3.5.2 Survey

In general, surveys are the most commonly used method of data collection in the study of corruption. Surveys entail gathering information about a large number of people by collecting information from or about a few of them in a representative manner by means of "written questionnaires or verbal interviews" (Langseth, 2006, p. 16). Surveys may be used to gather objective or hard data as well as subjective or soft data. Hard data refers to respondents' experience of corruption such as involvement in bribery and is generated by counting of observations.On the other hand, soft data refer to opinions, views, and perceptions. The World Bank, Transparency International, and the Independent Advocacy Project (IAP) which produce data on corruption in Nigeria, all use surveys for the construction of their respective aggregated indices: Governance Indicator, Corruption Perception Index (CPI), and the Nigeria Corruption Index (NCI) respectively. These indices essentially measure perceptions of corruption and are useful in raising awareness about corruption and comparing corruption among different countries but provide no guidance to policymaking processes because, by design, they cannot "identify areas where reform is needed" (Transparency International, 2007c, p. 5). However, the NCI is said to capture "corruption as experienced by ordinary Nigerians in their interaction with officials of government establishments" (Transparency International, 2007c, p. 49), discriminate among various dimensions of the phenomenon and focus attention on areas where reforms are required. However, even the NCI suffers from the limitation of defining corruption as bribery and thereby fails to take into account the polysemous character and multifarious nature of the phenomenon.

Though useful, surveys throw up major problems when used to study sensitive subjects like corruption[17]. For example respondents may (i) deliberately attempt to or inadvertently mislead the researcher, (ii) be unrepresentative, and (iii) consider the investigation of corruption in higher education institutions as a personal insult and refuse to cooperate[18] (Temple & Petrov, 2004, p.

---

[17]. This researcher was also rebuffed at a number of higher education institutions in Nigeria; in one university he was treated with suspicion and queried by a DVC as to why he should expose Nigeria to foreigners.

[18] This researcher's experience at FUTA confirms this claim as he was accused of spying for a foreign government and denied research access to students and staff despite an email from his supervisor to the DVC of the institution.

86). Azfar and Murrell (2009, p. 388) report that "surveys on sensitive topics suffer from the reticence of respondents" and that this might lead to the under estimation of corruption as about 45% of respondents are reticent on the average. Moreover, these indices are also all based on a conception of corruption as bribery and none of them is designed specifically to measure education corruption. This study adopted survey methods to collect primary data bearing in mind the problems associated with such methods in the investigation of subjects such as corruption which is generally transacted in secret. A major and worrying experience was the failure of many respondents to respond to all the items on the questionnaire. While worrying, this shows reticence on the part of the respondents in this study. A respondent is reticent when s/he deliberately gives false answers to questionnaire items that may reflect badly on his/her integrity or standing. Azfar and Murrell (2009) provide some helpful insight on reticence. They define

> a reticent respondent as one who gives knowingly false answers with a nonzero probability when honest answers to a specific set of survey questions could lead to the inference that the respondent might have committed a sensitive act (Azfar & Murrell, 2009, p. 388).

Azfar and Murrell observe that reticence does not imply that the respondents always provides false answers or that they are guilty of having committed the sensitive act they are unwilling to discuss truthfully. Rather, reticence has to do with the sensitivity of the topic and the phrasing of the question and, suggests that the "respondents are troubled even by inferences that suggest only a positive probability of guilt" (Azfar & Murrell, 2009, p. 388).

The response pattern to the questionnaire suggests reticence. For example, in response to the question "Have you ever been involved in examination malpractice?", 355 respondents answered "No", 41 did not respond, and 85 answered "Yes" but in response to the questionnaire item "Would you describe the culture of your institution as corrupt?", 169 respondents described the culture of their institution as corrupt and 153 described it as not corrupt; 145 respondents did not answer this item which suggest some discomfort with the subject of the item which is personal involvement in a socially and legally unapproved conduct. The discomfort may suggest reticence

or an unwillingness by students to expose their institution to infamy, which would reduce (potentially) the reputation of their institution and the value of their degree certificates.

The pattern of response to the item on whether or not a culture of corruption exist in the institutions gives an impression that the respondents are immune to environmental influence in relation to examination malpractice. The large number of "No Response" can also be taken as indication of sensitivity to the subject under investigation. Thus items that border on the personal were unanswered by many respondents. For example, when asked to describe the culture of their institution vis-à-vis corruption, over a third of the respondents failed to offer an opinion.

The more common types of survey methods used in the investigation of corruption are opinion surveys and tracking surveys. Both opinion surveys and tracking surveys are used as diagnostic tools to assess the level of corruption. In this study, by reason of our focus on students as corrupters and corruptees, tracking surveys which attempt to measure resource leakage from point of initial disbursement, for example, national governments, to the final targeted beneficiary, say a patient in a health institution or a pupil in a primary school is not of any immediate relevance to us. However, were we directly concerned with the impact of political or bureaucratic corruption on the higher education, it would be an indispensable tool. On the other hand, there was great dependence on opinion surveys to interrogate students' perception of and attitude towards corruption. The survey data on higher education student were complemented with data from focus group discussions and interviews with faculty and administrators with responsibility for student discipline in academic and non-academic areas.

Surveys were conducted at five universities namely ABU, FUTA, IAUE, Uniport, and UNN; three colleges of education - FCE (T) Omoku, FCE Zaria, and Osun State College of Education; and two polytechnics namely Rivers Polytechnic Bori and Osun State Polytechnic.

The survey instrument for this study comprised questionnaires, a main primary instrument composed of structured and semi-structured items and a secondary supplementary instrument. The main questionnaire consisted of three broad sections. The first section, Section A, tapped information on the family settings of student respondents. This section sought information on the

gender, sponsor, and family head of respondents. It also sought information on openness of respondents to parents, the existence or nonexistence of moral standards to which respondents were held accountable, and the attitude of parents to failed expectations and achievements. This section also contained items asking respondents to describe the authority pattern in their homes as well as information on the marital status and highest educational attainment of parents and guardians.

The second section, Section B, of the questionnaire dealt with the institutional setting of the respondent. Among other things, this section sought information on mode of entry of respondents, admission encounters, opacity of admission procedures, and the pattern of in-session residence and respondents' opinion of the admission processes of the institution. The third and final section, Section C, of the questionnaire comprised items aimed at eliciting information on awareness, knowledge, and experience of corruption on the part of the respondents generally and in the context of their institutions. It also contained items inviting respondents to offer explanations of why students participate in corrupt practices. This questionnaire was administered on students during the two phases of the fieldtrip at Uniport, IAUE, ABU, UNN, FUTA, Rivpoly, and FCE (T).

The second and supplementary questionnaire was developed to fill the data gap in certain aspects of the study arising from the conditions under which focus group discussions were held in the South-West geopolitical zone in particular. At the first institution visited in this part of the country, students had asked the focus group facilitator to elucidate the meaning of corruption before they could speak on the question of what corruption means to them. There was therefore a felt need to elicit their idea and concept of corruption by some other means. This short instrument comprised seven open-ended questions which students were to answer in writing. The aim of the instrument was to determine whether students have a concept or theory of corruption. This instrument was administered in a polytechnic and a college of education owned by a state government in the South-West geopolitical zone. The survey was conducted by a research assistant who at the time was a lecturer in one of the institutions and a doctoral candidate at UKZN.

The number of questionnaires distributed and returned by institution is given in Table …The table shows that 680 questionnaires were distributed and 467 returned. In addition to the 467, there were 11 questionnaires on which the respondents did not identify their institutions. Overall, the response rate was 68.68 per cent. Response rates at individual institutions ranged from 36.67% at the Federal College of Education, Omoku to 81.67% at FUTA and Osun State College of Education. However, in the analysis, even where a respondent's institution is not identified, if the response to an item is valid, such responses were used. This is the reason total respondents vary.

Table 3.1Number of questionnaires distributed and returned by institution

Distribution and return of questionnaires by institution			
Institution	Number of Questionnaires distributed	Number of Questionnaires returned	Response rate
ABU Zaria	120	82	68.33
FCE (T), Omoku	30	11	36.67
FCE Zaria	40	26	65.00
FUTA	60	49	81.67
OsunCOE	60	49	81.67
OsunPoly	60	41	68.33
RivPoly, Bori	50	36	72.00
RSUOE, Rumuolumeni	50	25	50.00
Uniport	60	39	65.00
UNN	150	109	72.67
Total	680	467	68.68

3.6 Data Presentation and Analysis

The unit of analysis is the individual student. Data obtained from primary and secondary sources were subjected to statistical and qualitative analysis. Responses obtained from respondents through questionnaires, interviews, and FGDs were coded into personal characteristics, establishment characteristics, and culture of corruption and analysed. Frequency distributions,

percentages and averages were used determine prevalence and predominant forms of corruption. Charts and tables were also used to help illustrate some important points..

Responses to open-ended questions, interviews, and data from FGDs were also content analysed. Though originally developed for the "analysis of mass media and political speeches, the use of content analysis has spread to the examination of any form of communicative material, both structured and unstructured," including interview transcriptions (Cohen et al., 2007, p. 475). In this study, content analysis entailed both qualitative and quantitative analysis of texts from the open-ended questions and transcripts of the interviews and FGDs.

This study did not separate data presentation and data analysis into separate chapters. Rather, data is presented, interpreted, and analysed in the course of discussion.

3.7 Research Setting

Nigeria is a vast and culturally diverse country with an estimated number of 450 ethnic groups. As indicated above in Section 4.5.1, data were collected from different institutions across the country. The researcher personally visited the following towns and cities for the purpose of data collection: Akure, Nsukka, Omoku, Port Harcourt, and Zaria. In addition, he used research assistants to collect data at Ado-Ekiti, Akure, Bori, and Ikere-Ekiti. This section describes the towns in their geopolitical and social contexts.

3.7.1 Ado-Ekiti, Ekiti State, South-West

Ado-Ekiti is the largest as well as the capital city of Ekiti State. It has a population of 424,340 (http://www.geoba.se/location.php?query=ado-ekiti)[19]. Ekiti State prides itself as the "Fountain of Knowledge" in Nigeria because of the educational achievements of the people of the state;it is home to several tertiary educational institutions. These are University of Ado-Ekiti (UNAD), Federal Polytechnic, Ado-Ekiti, Governments Technical College, School of Nursing, Crown Polytechnic, and Afe Babalola University. Afe Babalola University and Crown Polytechnic are privately owned while Federal Polytechnic is owned by the Federal Government. The remaining

---

[19] Retrieved 2014/07/10

three institutions are owned by the state government. The institution of interest to this study is the Federal Polytechnic.

The Federal Polytechnic Ado-Ekiti began operations at Ado-Ekiti in 1982 when it was moved from Akure to make way for the Federal University of Technology. It runs full-time and part-time National Diploma and Higher National Diploma as well as certificate and professional courses. It has an enrollment of about 10,000 students and staff strength of about 1,000 (The Federal Polytechnic Ado-Ekiti, 2012). The second and supplementary questionnaire was administered on students in the School of Business Studies of the institution.

3.7.2 Akure, Ondo State, South-West

Akure, the capital of Ondo State of Nigeria, is an ethnically homogenous city. It has a population of about 420,594 (http://www.geoba.se/location.php?query=akure)[20]. Like Ado-Ekiti, it is home to many tertiary educational institutions including the Federal University of Technology Akure, Federal College of Agriculture, School of Nursing and Midwifery and School of Health Technology. The study site here is the Federal University of Technology which was established in 1981. The researcher was not granted formal access to this institution because the subject matter of his investigation and had to use research assistants to gain access to students. The focus group discussion from here therefore suffered some drawbacks as the conditions under which it was held resembled a town hall or village meeting more than a controlled discussion. However, as indicated in section 4.5.2, a new instrument had to be development to capture information on areas that suffered as a result of the poor quality of the focus group discussion held here.

3.7.3 Bori, Rivers State, South-South

Bori has been a seat of political power since the colonial era. Currently, it is the headquarters of Khana Local Government Area of Rivers State. The Rivers State Polytechnic, its first and only tertiary educational institution was established in 1988. It is located on two campuses which

---

[20] Retrieved 2014/07/10

formerly housed the Regina Caeli Teacher's Training College (T.T.C) and the Government Technical College (GTC), Bori. With an estimated population of 11693 (**http://population.mongabay.com**/population/nigeria/2346800/bori), Bori is a very small community compared to Port Harcourt. But is very active politically as the traditional headquarters of the Ogoni ethnic nationality.

3.7.4 Ikere-Ekiti, Ekiti State, South-West

Ikere-Ekiti, the headquarters of Ikere Local Government, is located at 7.50°N and 5.23°E and has a population of about 74,000 people according to the World Gazetteer. The people are largely agriculturists. It is home to College of Education, Ikere-Ekiti, one of the institutions at which questionnaires were administered.

3.7.5 Nsukka, Enugu, South-East

This is the home of the University of Nigeria which also has a campus in Enugu. Nsukka is the headquarters of Nsukka Local Government Area, home to several secondary schools and, at least one illegal university. Nsukka has a population of about 310,000. The indigenes are engaged mainly in agriculture and commerce.

3.7.6 Omoku, Rivers State, South-South

Omoku is the headquarters of the Ogba/Egbema/Ndoni local government area of Rivers State. Omoku is the second largest urban centre[21] in Rivers State although it is a relatively small city when compared with Port Harcourt. It plays host to three of Nigeria's oil majors – SPDC, Total, and NAOC. Its population "is an admixture of oil workers, civil servants, subsistent farmers, petty traders, and traditional craft-makers from all parts of Nigeria as well as expatriates." The Federal College of Education (Technical) is its only tertiary educational institution. But it is home to several secondary schools including Sancta Maria High School, Government Secondary School, and Community Secondary School.

---

[21] http://www.fcetomoku.net/section2/subsection1/default.aspx

3.7.7 Port Harcourt, Rivers State, South-South

Port Harcourt, the capital city of Rivers State is UNESCO World Book Capital 2014. It is a fairly young and modern city having been founded in 1912 by the colonial administration and named after the British secretary of state for the colonies at the time to transport coal and other produce from the hinterland to the coast for export to foreign markets. Served by two seaports and two airports, one of which is an international airport, it remains the economic hub of the Niger Delta region and oil capital of Nigeria. It houses the operations of Nigeria's oils majors – Shell, AGIP, Chevron, and Elf among other producing companies as well as two oil refineries. As the oil capital of Nigeria and oil being the mainstay of the Nigerian economy, it attracts people from across the country and the world. Port Harcourt is thus a cosmopolitan city of close to 1.5 million people.

Port Harcourt is also home to several higher education institutions. These include two of the institutions covered in this research, the University of Port Harcourt and Ignatius Ajuru University of Education. Other tertiary institutions include the Rivers State University of Science and Technology which is Nigeria's oldest state as well as technological university; Rivers State College of Arts and Science, a polytechnic; Rivers State Schools of Nursing and Midwifery; Rivers State College of Health Technology; and the Catholic Institute of West Africa. From the point of view of this research, Port Harcourt also has the advantage of having been surveyed in respect to corruption by the Independent Advocacy Project in the development of the Nigeria Corruption Index. Human Rights Watch has also carried out a study on the impact of corruption on human rights centred on Port Harcourt[22]. Thus, there are independent estimates of the existence or non-existence of a perception of a culture of corruption in this area.

3.7.8 Zaria, Kaduna State, North West

With a population of over one and half million people, Zaria is located in Kaduna State in Nigeria's North-west geopolitical zone. It is home to two of the institutions covered in this study:

---

[22] Chop Fine The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State, Nigeria. 2007

Ahmadu Bello University and Federal College of Education. Other tertiary institutions in this large city include the following: Nigerian College of Aviation Technology, National Research Institute for Chemical Technology (NARICT), Nigerian Institute of Transport Technology (NITT), and Federal College of Chemical and Leather Technology (CHELTEC).

The institutions included in this research were selected to reflect the ethno-cultural heterogeneity of the country as well as the diversity in the different types of higher education institutions. Three types of higher education institutions were selected from four out of the six geopolitical zones in Nigeria. In particular, the universities were selected taking into account the catchment area from which they are to draw their students.

3.8 Chapter summary

This chapter set out the methodology and methods of this research. It discussed the methods of data collection and analysis. It stated that the main instruments of data collection were focus group discussion, surveys, and personal interviews. It discussed different types of data and data sources. It stated how the data was analysed. It also highlighted the research settings, that is, the various towns and cities in which the higher education institutions in which one form or another type of data collection activity took place. Moreover, the chapter stated that these are spread across four out of the six geopolitical zones into which the country is informally divided for purposes sharing political goods. With regard to these cities and towns, it should be noted here that there is a paucity of information about them; and that there is indeed an urgent need for a study of educational cities in Nigeria. Perhaps because of the poor development of the tourist industry in the country, even such basic information as tourists would require is lacking on many of these towns and cities. There are also no current economic and social statistics on them. Chapter Four presents a critical review of the literature on corruption in higher education.

Chapter Four Literature Review

4.0 Introduction

Knowledge generation, development, and dissemination are a communal activity of scholars and laymen, but especially of scholars. Scholars take ideas, notions, beliefs, practices, values and thoughts from society and formulate and formalize these into scientific ideas, concepts, and theories among other intellectual phenomena. Scholars give meaning to vaguely held societal notions and systematize nebulous ideas. Flick (2010) categorises the foregoing argument according to "first-degree constructions" and "second-degree constructions".

> First-degree constructions - Lay explanations of a phenomenon, which can be used to develop a scientific explanation (second-degree construction). For example, people's lay theories of their specific diseases can become a first step for developing a more general concept of everyday knowledge of the disease (Bukola Akintola, 2010, p. 469).

In line with the above, scholarship begins with consulting knowledge that has gone before in an area; paying critical attention to how that knowledge is formulated and formalized. The purpose of such consultation may include some or all of the following: add to, change or displace some aspects of existing knowledge; make clearer by further articulation; make stronger by further evidencing; question or query conclusions, assumptions, findings, and methodologies. Without such consultation there is no basis on which to claim making a contribution to knowledge. Modifications and alterations can only be made to what already exists. Thus evaluation of the extant body of knowledge on a subject and assessing how it meets or does not meet one's present purposes, is the purpose of a literature review.

Corruption in higher education is centuries old (Vincent R. Johnson, 2007; Osipian, 2004)[23], rampant and universal (Vincent R. Johnson, 2007; Osipian, 2007b). For instance, corruption was implicated in the collapse of the Nalanda University which was founded in North-eastern India in 427 AD and became extinct in 1127. The institution was said to have expired partly because of

---

[23] The citation software used for this work, EndNote, automatically differentiates authors of the same surname by the inclusion of their initials or given names in the in-text citation; hence Vincent R. Johnson.

"corruption among university officials" (Vincent R. Johnson, 2007). Educational corruption has been described by one writer as a "legacy of the medieval university" (Osipian, 2004). Corruption is rampant in the education sector of the former Soviet bloc (Osipian, 2004, 2007b, 2008a, 2008b) as it is in China (Bin & Qichun, 2007a, 2007b; Changgeng, 2007; Easterbrook, McWilliams, & Overland, 2002; Jin & Bin, 2007; Waite & Allen, 2003; L. Yang, 2007), the Americas, Asia and Africa (Bennet, 2001; Birchard, 2006; Hallak & Poisson, 2007; Vincent R. Johnson, 2007; Donald L. McCabe, Feghali, & Abdallah, 2008; Washburn, 2006; Willott, 2011). Corruption as examination malpractice predated Nigeria as a modern sovereign state[24] (A. N. G. Alutu & Aluede, 2006).

Scholars cited above notwithstanding, corruption in education has been largely ignored by a majority of scholars until recently (Altbach, 2004; Hallak & Poisson, 2007; Hallak & Poisson, 2002; Tanaka, 2001; Temple & Petrov, 2004). Corruption in the education sector is not a popular research subject among academics. For example, Altbach (2004, p. 1) reports that "academic institutions see themselves as somewhat above the baser motivations and lower instincts of other elements of society" and generally refrain from discussing corruption in higher education. Hallak and Poisson (2007, p. 55) make a similar observation that higher education institutions, because of their traditional autonomy, provide fertile soil for corruption but academics fail to draw attention to the phenomenon in order to preserve the ivory tower image of higher education institutions. Universities sometimes threaten lecturers who expose corruption in their institutions with dismissal as part of the effort of universities to preserve their ivory tower image (Barry, 1983) . Osipian (2007a) adds that this attitude derives from a desire to keep financial flows to higher education institutions from drying up. Consequent upon this attitude towards the study of educational corruption little is known about the processes of corruption in the sector (Temple & Petrov, 2004). Where corruption among academics in higher education is discussed, other related concepts such as cheating, academic dishonesty, academic fraud, examination malpractice and bribery are given priority especially where the conduct of academics is under scrutiny.

---

[24] While the various peoples and territories making up modern Nigeria may have existed before colonial conquest, Nigeria is a creation of British colonialists. In other words, there was no Nigeria before colonialism.

But these concepts are not synonymous with corruption neither are they identical or equivalent in their meaning. Thus academic dishonesty entails cheating (Farnese, Tramontano, Fida, & Paciello, 2011; Kibler, n.d; Donald L. McCabe et al., 2001). According to Farnese et el (2011, p. 357) cheating

> [I]s a way to present others' academic work as ones' own interfering with the learning and the evaluation process, a fraudulent means of achieving grades, being accompanied by the risk of detection and punishment

The long neglect notwithstanding, much literature exists on education in corruption today. However, the effects of the neglect are quite visible in the state of development of knowledge in the study of corruption in higher education, especially theoretical knowledge (Osipian, 2007a, p. 55; Temple & Petrov, 2004). Issues of definitions, scope, causes, classification schemes, measurement, and the like continue to occupy scholars of corruption in higher education. The only noncontroversial issues in the study of corruption in higher education are that it occurs in the education sector and that its impacts are negative and deleterious. Consequently, insufficient contribution has been made to our understanding of corruption by the literature on corruption in education.

This chapter presents a critical review of the literature on corruption in higher education generally and with specific reference to Nigeria. It examines the state of development of theory in research on corruption in education. It attempts to demonstrate that research on corruption in education is still at a rudimentary and an exploratory stage both theoretically and methodologically. It identifies the principal issues and themes that have been of central concern to scholars of corruption in higher education including the problem of the definition and measurement of corruption and corruption in education as well as the context, consequences, and reform of corruption in the education sector.

The discussion in this chapter is organized according to subject matter. It opens with a review of the literature on the definition and conceptualization of corruption and corruption in education. This is followed by a review of the concept of higher education, the relationship between corruption and higher education, causes of educational corruption, classifications of educational

corruption, the relationship between educational corruption and development, and structures and patterns of educational corruption. The final section reviews conceptions of higher education student corruption by Nigerian scholars writing about corruption in higher education in Nigeria.

4.1 What is corruption?

This question can and has been addressed from diverse angles and in different ways. The answers entail defining corruption, elaborating on its meanings and determining which forms of conduct constitute corruption. Defining corruption is an indispensable necessity in any study of corruption because "any research effort dealing with corruption is heavily influenced by how it defines its subject" (Kurer, 2005, p. 222).

Corruption is both a composite phenomenon and a polysemous concept, often adjectivally defined. The functions of the adjectives include locating the context in which corruption occurs and distinguishing one type of corruption from other types. The adjectives used to qualify corruption also help in the identification of the key players or drivers in corrupt exchanges. The major delineations of corruption by the use of adjectival qualifiers include political corruption (Heywood, 1997; Peters & Welch, 1978; Philp, 1997), administrative corruption (G.E. Caiden & Caiden, 1977; Tilman, 1968; Werner, 1983), judicial corruption (Hill, 2010), police corruption (Oluwaniyi, 2011; Sayed & Bruce, 1998), customs corruption (Le, 2007; D. Yang, 2008), and educational corruption (Stephen P. Heyneman, 2004; Vincent R. Johnson, 2012; Rumyantseva, 2005) among other types. The adjectives are utilized to denote the sector of human activity in which corruption occurs or takes place and/or the occupational groups who perpetrate it. Thus political corruption is perpetrated by politicians in the executive and legislative branches but especially those in the executive branch. Andvig et al hold that

Political or grand corruption takes place at the highest levels of political authority. It is when the politicians and political decision-makers (heads of state, ministers and top officials), who are entitled to formulate, establish and implement the laws in the name of the people, are themselves corrupt. With grand corruption we are dealing with highly placed individuals who exploit their positions to extract large bribes from national and transnational corporations, who appropriate

significant pay-offs from contract scams, or who embezzle large sums of money from the public treasury into private (often overseas) bank accounts. Political corruption is furthermore when policy formulation and legislation are tailored to benefit politicians and legislators (Andvig, Fjeldstad, Amundsen, Sissener, & Søreide, 2001, pp. 10-11).

Judicial corruption describes corrupt practices among judges and others involved in the administration of justice as well as the subversion of judicial processes (Transparency International, 2007b); and police corruption refers to corruption in policing and among the police (Oluwaniyi, 2011; Sayed & Bruce, 1998). In the various contexts in which it occurs, corruption may take the form of bribery, fraud, misappropriation of resources, falsification of records, inflation of costs, or perversion of procedures and processes, etc.

The adjectives may also be used to refer to the scale or magnitude of corruption. There is thus grand corruption and petty corruption. According to Langseth (2006, p. 9), grand corruption refers to the corruption which "pervades the highest levels of a national government, leading to a broad erosion of confidence in good governance, the rule of law and economic stability" while petty corruption entails "the exchange of very small amounts of money, the granting of minor favours by those seeking preferential treatment or the employment of friends and relatives in minor positions". Langseth observes further that the key distinction between grand and petty corruption is that the former distorts or corrupts "the central functions of government while the latter develops and exists within the context of established governance and social frameworks"(Langseth, 2006, p. 9). Whether corruption is grand or petty is determined partly on the basis of the magnitude of the product of corruption and partly on the basis of the amount of resources controlled by the perpetrator. In other words, grand corruption and petty corruption are opportunity and actor defined and may manifest in the identical forms: for example, both grand and petty corruption can take the form of bribes or kickbacks or commissions. Grand corruption and petty corruption require different kinds of structures for their operation and are consequently sometimes confused with or taken as types of corruption as distinct from measurement of scale or magnitude. This conflation arises mainly when the two concepts are defined strictly with reference to only the actor or corruptor. Thus grand corruption is often conflated with political

corruption and petty corruption with bureaucratic or administrative corruption (Andvig et al., 2001; Duncan, 2006).

As a composite phenomenon, corruption assumes a diversity of forms and is often studied from parallel disciplinary perspectives: anthropologists, economists, political scientists, and sociologists all study corruption from different and often incongruent perspectives. For example, the key concern of anthropologists with corruption is with its meaning and representation among a given community and how these differ or remain similar across regions or peoples (Shore & Haller, 2005). While a focus on meaning and representation, that is, the forms in which corruption is manifested, does not preclude concern with its consequences (which is the key concern of economics studies of the phenomenon), the aim of anthropological studies of corruption is to gain understanding more than anything else. According to Shore and Haller (2005), anthropologists want

> [T]o understand what corruption means in different parts of the world and how it is embedded in everyday life; why intolerance to corruption is greater in some places than others; how it becomes institutionalized and reproduced; and the distinctions people make between […] 'white' corruption, 'grey' corruption and 'black' corruption – distinctions that go a long way towards explaining why everyday forms of corruption become accepted and institutionalized (2005, pp. 9-10).

The economics literature defines corruption as the misuse of public office or power for private gain (Pande, 2008). Misuse is sometimes broadened to include misallocation of public resources to the benefit of the official while private gain also includes non-monetary benefits including the accumulation of social capital. Economists are concerned about the "economic effects of different forms of corruption" (World Bank, 1997, p. 14). This is not to suggest the existence of a monolithic approach to or interpretation of corruption among economists. It should not also be taken as implying agreement on the nature of the consequences of corruption. Some writers, at least initially, viewed corruption as enhancing efficiency while others saw it as an impediment to growth and development (World Bank, 1997). In contrast to anthropologists, economists approach corruption differently - they focus on the need for "appropriate incentives and punishments" (Bardhan, 2006, p. 341). But they are also concerned about the causes of

corruption which they generally locate in scarcity of resources and monopoly of power. For economists, corruption is not a moral issue; values and ethics are of little significance and therefore curbing corruption cannot be achieved through moral regeneration. The target of anticorruption policy should also be the giver more than the receiver of bribes; the briber (bribe payer) rather than the bribee (bribe receiver or beneficiary of a bribe) should be punished in a bribery transaction. To discourage rent-seeking behaviour, the economist would recommend increased competition and enhanced and appropriate incentive structure or efficiency wage (Bardhan, 2006). Thus while anthropologists generally approach corruption from the perspective of structural-functionalism, economists are essentially consequentialist in their approach. Political scientists on their part tend towards moralism and idealism in the way they approach corruption, viewing corruption as unethical conduct or lack of integrity (Rose & Heywood, 2013).

The complexity of corruption is reflected in the fact that it is simultaneously a moral, legal, social, economic, political, and cultural phenomenon. According to Miller, Roberts, and Spence (2005, pp. xv,2), "corruption is at bottom a species of moral wrongdoing or unethical behaviour"; it is "fundamentally a matter of morality". Andvig et al (2001) make a similar point that corruption exists as a "moral and cultural problem in society" (Andvig & Fjeldstad, 2001, p. 8). Corruption as a moral category "signifies putrefaction and rot" (Rose-Ackerman, 2006). Rose-Ackerman holds that the term is used to describe aspects of modern life that are regarded as repugnant to an observer or a commentator. In this sense also, young ones are regarded as victims of corruption and not as corruptors even when they engage in corrupt behaviour. Viewing corruption from a moral perspective creates ambiguity around the concept and the phenomenon it describes because there is no absolute universally accepted standard of morality. In real life, people tend to subscribe to different moralities. Morality, unlike law, tends to be relative. This is perhaps why those accused and sometimes found guilty of corruption deny any wrong doing. For example, Piet Neus, former alderman of Maastricht, who had been found guilty of accepting gifts from local companies doing business with his council, declared after his conviction for corruption charges "I still believe I did nothing wrong" (Graaf, 2007, p. 39).

Irrespective of the area of activity, there must be some underlying standard or code of ethics for corruption to occur. This is why corruption is often defined in terms of defiance, deviation, violation, or abuse. For instance, Nye (1967), Friedrich (2002), Kurer (2005) and Osoba (1996) all defined corruption in terms of deviation from or violation of some standard. The definition of corruption by reference to some standard is also the reason for the changes and differences in the concept of corruption over time and space. Several scholars have highlighted the fluidity and elasticity of the concept of corruption (Friedrich, 2002; Gardiner, 2002; Johnston, 1991; Kurer, 2005; Scott, 1969). However, in relation to the above scholars, this chapter posits that there is an immovable benchmark in the definitional divergences characterizing the concept of corruption. This benchmark is that *corruption is a deviation from an accepted or assumed standard of conduct.*

It should however be pointed out that the claim of the existence of a benchmark is not a denial of the fact that there is no agreement on what such a standard should consist of. In practice, the standard or benchmark which defines certain conducts as corrupt is determined by and set in established law. This is the reason why corruption is essentially an illegal phenomenon, especially from an anti-corruption perspective. In most countries, corruption is construed as a crime and combatted through policing and court processes. Moreover, the constitution of corruption is determined by law – it is law which defines a conduct as corrupt or not corrupt. Corruption as a social phenomenon means that it is the society that determines which conducts are corrupt and which ones are legitimate. It also means that corruption arises out of social interaction. As an economic phenomenon, corruption may describe the availability and distribution of resources and resource distributive mechanisms; that is, corruption is a resource allocation phenomenon. Politically corruption involves the use of the values allocative authority of the state. We all remember David Easton's famous definition of politics as "the authoritative allocation of values for a society" (Easton, 1965, p. 50). Whoever lacks allocative authority may therefore also lack an opportunity to be corrupt. This is one major reason the study of corruption has concentrated on the abuse and misuse of power by persons occupying positions of authority in formal structures. It is worth emphasizing that there need not necessarily be congruence among the moral, legal, or social concepts of corruption; and often there is not.

The various forms of corruption are not easily comparable. Their perpetrators have different and differing demographics and they are different in their forms and consequences. Moreover, motives for corruption differ across sectors even where there is similarity of forms. Thus how does bribery, which entails reciprocation, compare with fraud, which does not? How does police corruption intended to obtain conviction of a felon by the fabrication of evidence compare with police corruption involving the destruction of evidence to avoid conviction of a felon? How does the corrupt practice of a minister of education compare with the corruption by a faculty member? How does a kickback on a lucrative government contract compare with the charging of a sorting fee by a faculty? The list is endless and the above questions are intended to show the near impossibility of comparing different types and forms of corruption.

Corruption is age old and universal (Vincent R. Johnson, 2007; Osipian, 2004). It was recorded for every ancient civilization, sometimes very blandly and was encouraged as a mechanism for securing regime legitimation. In *The Prince,* Nicolo Machiavelli advised the prince to appoint his ministers from among the class of slaves and bondmen because these were deemed to be more difficult to corrupt (Machiavelli, 2012). Its capacity to pervert was widely acknowledged. According to Rousseau, corruption is capable of altering the substance of the state and rendering reformation impossible. In his words,

> Nothing is more dangerous than the influence of private interests in public affairs, and the abuse of the laws by the government is a less evil than the corruption of the legislator, ... In such a case, the State being altered in substance, all reformation becomes impossible (Rousseau & Cole, 1923, p. 58).

Corruption is both an ancient and a modern phenomenon. Corruption as a phenomenon is also universal, although the concept is not. It is found in different cultures and climes, irrespective of level or type of civilization, production system or level of industrialization. It is found in all types of polities, economies, and societies. No social formation is immune to corruption. It is characteristic of individuals as it is of societies; and of simple and complex organizations. It "is endemic in all governments" (Nye, 1967, p. 417).

Corruption lacks a universally accepted definition (W. L. Miller, 2006); it also has different meanings. For example, Gambetta (2002, p. 33) identifies three usages of the term : corruption is used to refer to

1. "the degradation of agents' ethical sense, to their lack of moral integrity or even their depravity";
2. "an array of social practices, regardless of how these are motivated"; and
3. some such practices, such as bribery or kickbacks are themselves called 'corruption"

Following from the conception of corruption as "an array of social practices", there exist a tendency to conflate the phenomenon with its forms.

In addition to the difficulties already highlighted, it may also be noted that the meaning of corruption changes even within the same society at different historical periods. Thus, it is viewed as a moral category in transition which exists only relative to an uncorrupted condition (Miller, Roberts and Spence 2005:4). Their argument is essentially that the morality that defines corruption is both temporally and territorially or spatially contextual. In other words, what is corrupt in a given society in a given historical period may not be so regarded in another historical period. The transitional or changing meaning of the concept of corruption emphasizes its historical character as both Van Klaveren (2002) and Carl Friedrich (2002) have demonstrated.

Having utilized the literature to highlight the timeless and universal nature of corruption; to emphasize that it is a contested concept; to distinguish between forms and scales of corruption; and to note three discrete usages of the concept, the chapter now conducts a semantic survey in light of Brown's assertion that "everyday language often holds the keys to concepts readily forgotten by technical policy disciplines" (2006, p. 61). Corruption has many synonyms such as dishonesty, exploitation, sleaze, bribery, fraud, venality, vice, depravity, perversion, harm, debasement, degeneracy, and immorality. However, none of these synonyms of corruption is

equivalent to it in meaning; in other words, it is difficult to replace the word corruption with any of its synonyms and retain the meaning of the text. Corruption actually entails all its synonyms. WordWeb (2012) registered six meanings and nine synonyms for corruption. The meanings and the synonyms are presented in tabular form in Table 2.1.

The more prevalent meanings of corruption in the social sciences are "lack of integrity or honesty', 'use of a position of trust for dishonest gain"; "moral perversion; impairment of virtue and moral principles"; destroying someone's honesty or loyalty; undermining moral integrity"; and inducement (as of a public official) by improper means (as bribery) to violate duty". One or another of these meanings generally infuses the use of corruption by social scientists. But the most original meaning of corruption is that of "decay of matter (as by rot or oxidation)".

Table 4.1 Corruption Synonyms

	Meaning	Synonym
1	Lack of integrity or honesty (especially susceptibility to bribery); use of a position of trust for dishonest gain	corruptness
2	In a state of progressive putrefaction	Putrescence, Putridness, Rottenness
3	Decay of matter (as by rot or oxidation)	
4	Moral perversion; impairment of virtue and moral principles	Degeneracy, depravity, depravation, putrefaction
5	Destroying someone's (or some group's) honesty or loyalty; undermining moral integrity	subversion
6	Inducement (as of a public official) by improper means (as bribery) to violate duty (as by committing a felony)	

Compiled by Researcher from WordWeb (2012)

The Cambridge Advanced Learners Dictionary defines corruption as "illegal, bad or dishonest behaviour, especially by people in positions of power". This definition does not help much in

specifying what behaviour is corrupt because of the absence of a universal standard of 'bad'. In other words, what is "bad behaviour" is relative to context and historical time. Context itself may vary over time such that what was permissible in context "A" at time "T" may not be permissible at time "T1". Culturally required or sanctioned conduct among the people of one community may be regarded as an attempt at the corrupting of conduct in some other area.

The Oxford English Dictionary identifies three broad meanings of the concept of corruption – physical, moral, and perversion of anything from an original state of purity. The academic literature is no more precise or specific when it comes to defining corruption. From the dictionary meanings of corruption, one may regard corruption as a 'reference phenomenon', that is, an action, activity, or conduct is not corrupt in and of itself but only in reference to some external state or standard. As Diego Gambetta (2002) emphasized, this reference dimension of corruption is core to the understanding of the phenomenon and its workings. In this sense, corruption is an epiphenomenon

The foregoing paragraphs have highlighted the complexity and multidimensionality of corruption. How have the social sciences, particularly political science, approached the study of the phenomenon and concept of corruption? This is the issue that this literature review next addresses.

4.2 Schools of thought or perspectives on corruption

There are different perspectives to the definition and constitution of corruption. Brown (2006) notes primary and secondary taxonomies of the definition of corruption. According to him, there is an old primary taxonomy derived from Heidenheimer and Johnston's seminal contribution to corruption research. This comprises the three broad perspectives that have informed the definition of corruption for several decades, namely, public office-centred definition, public interest-centred definition, and public opinion-based definition. There is also a "new primary taxonomy" based on the work of Gambetta which views corruption from a relational perspective. This new taxonomy is based on the level of generality of the definition of corruption and consists of three categories as well, namely broad definitions, intermediate definitions, and specific

definitions of corruption. The old and new primary taxonomies are not mutually exclusive; rather, they overlap in some areas. The secondary taxonomy, like the primary taxonomies of corruption definitions, has two components: the old primary taxonomy of Heidenheimer and Johnston and new secondary taxonomies derived from behavioural interpretation and the sources of standards or values deviation from which define behaviour as corrupt. The new secondary taxonomies are secular-legal, religious-legal, moral and/or ethical, economic, institutional, public interest, and public opinion. In essence, the new secondary taxonomy is entailed in the three broad perspectives of the old primary taxonomy. Therefore the remainder of this section is devoted to discussing the old primary taxonomy but against the background of highlighting the linkages to the new secondary taxonomies when necessary. The key characteristic that differentiates one perspective from the others is the standard for determining what is corrupt. This standard is either the way a defined role is exercised, that is, whether in agreement with the expectations for the role or against such expectations; and the outcome of the role play, that is, whether it serves the common good of the collectivity the role is established for, or whether it serves the good of the role player.

4.2.1 Public office perspective

Broadly, the *public office perspective* sees corruption as the abuse or misuse of public office or entrusted power. This abuse may be behavioural or relational. Law or legal statutes provide the standard for determining corrupt conduct. A definition from this perspective may be broad, intermediate, or specific. According to Brown (2006), broadly, "corruption is the abuse of entrusted power"; at the intermediate level, "corruption is the abuse of entrusted power for private gain"; while a specific definition may simply be "corruption is abuse of public/private power for private/personal/unlawful/financial/pecuniary profit/benefit/gain" (2006, p. 59).

Nye (1967), Friedrich (2002), and (Osoba, 1996) define corruption behaviourally. Nye identifies a broad and a narrow definition of corruption. Broadly defined, corruption is "perversion or a change from good to bad' and covers a 'wide range of behaviour from venality to ideological erosion" (Nye, 1967, p. 419). (Note that this corresponds to one of the meanings of corruption found in the dictionary). From a narrow perspective, Nye defined corruption as

> [b]ehaviour which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private regarding influence (Nye, 1967, p. 419).

So corruption is not only a deviation from, but also a violation of a standard and is based on a rational calculation of benefit.

According to Carl Friedrich (2002, p. 15)

> Corruption is a kind of behaviour which deviates from the norm actually prevalent or believed to prevail in a given context,…It is deviant behaviour associated with a particular motivation, namely that of private gain at public expense. … The pattern of corruption may therefore be said to exist whenever a power holder who is charged with doing certain things, that is, a responsible functionary or office holder, is by monetary or other rewards, such as the expectation of a job in the future, induced to take actions which favour whoever provides the reward and thereby damage the group or organization to which the functionary belongs, more specifically the government.

Whereas Nye's main focus is political corruption, Friedrich is especially concerned with bureaucratic corruption. But of more immediate concern to this chapter, given the study's topic, is elucidating a reference standard or norm in relation to a student concept of corruption. According to Friedrich this may be a "norm actually prevalent or believed to prevail in a given context" (Friedrich, 2002, p. 15). However, beliefs about such standards may not be monolithic; rather they may be atomised and diverse. This signals the possible existence in any given context of diverse beliefs about what constitutes corruption and thereby leads to the question: Are there norms that students are expected to adhere to, and if so can their behaviour be evaluated by reference to such expected norms? The literature on cheating behaviour suggests that students assume the existence of some normative standards deviation from which is condemned (Olasehinde-Williams et al., 2003).

For Segun Osoba (1996, p. 372) corruption is

[A] form of anti-social behaviour by an individual or social group which confers unjust or fraudulent benefits on its perpetrators, is inconsistent with the established legal norms and prevailing moral ethos of the land and is likely to subvert or diminish the capacity of the legitimate authorities to provide fully for the material and spiritual wellbeing of all members of society in a just and equitable manner.

The Nigerian social science literature on corruption in higher education views the phenomenon from the perspective of social vices, suggesting some form of moral underpinning to corruption discourses. In other words, corruption is viewed from a moral perspective and corrupt practices are regarded as immoral.

While the above definitions all locate corruption in the public sector, the interest of this study is in their focus on the behaviour of individuals against the accepted standards of conduct in a given social setting. Some scholars have argued that this behaviour is a matter of choice on the part of its perpetrators. Accordingly, Klitgaard (1998), Tanzi (1998), and Rose-Ackerman (2006) regard corruption as intentional acts based on rational calculations of interest. According to Klitgaard (1998, p. 4), "corruption is the misuse of office for unofficial ends" and includes "bribery, extortion, influence peddling, nepotism, fraud, the use of 'speed money' […] and embezzlement". Tanzi (1998), compares corruption to an elephant and argues that while it is difficult to describe, it is nonetheless easily recognizable. He defines corruption as "the intentional noncompliance with arm's length relationship aimed at deriving some advantage from this behaviour for oneself or for related individuals" (Tanzi, 1998, p. 564). Rose-Ackerman offers a very narrow definition of corruption from the public office perspective, namely, that it is "an illegal payment to a public agent to obtain a benefit that may or may not be deserved in the absence of payoffs" (World Bank, 1997, p. 20).

Rose-Ackerman's definition takes us to a second strand of public office definitions of corruption whereby the relational aspects of the corrupt conduct are emphasized. This strand is epitomized in principal-agent-client models of corruption that are very popular in the economics literature on corruption and in anti-corruption discourses. According to Gambetta (2002) corruption is an exchange involving three agents and a breach of trust. To elaborate:

Gambetta holds that corruption

> involves three agents rather than two. I shall call them the truster (T), the fiduciary (F), and the corrupter (C). T may be an individual, such as an employer, or a collective body, relying on the expectation that people in certain positions are bound to follow given rules. F may be anyone who agrees to act on behalf of T – a single voter or an entire government department, a journalist or a prison guard. C is anyone whose interests are affected by F's actions(Gambetta, 2002, p. 35).

Corruption as misuse or abuse of public office perceives the phenomenon in essentially legal terms. The performance of the phenomenon requires legally defined authority structures in which context power is exercised. The private individual occupying no 'office' and lacking a 'public role' cannot therefore be corrupt because s/he does not have an opportunity to be corrupt. It is perhaps for this reason that the focus of corruption research has been more on governmental than non-governmental sectors of polity, society, and economy. However, following Gambetta (2002), the individual without an office is implicated in 'C' as corrupter. Thus, public office perspectives are unable to account for the 'C' element and focus their attention on 'F' who could be a bureaucrat or a politician either elected by the voters or appointed to executive positions.

The conception of corruption as misuse or abuse of power recognizes corruption as a structured transactional activity involving a government official and a client who requires the services of the office of the government official. Such a government official may be located in the executive branch as a civil servant or a political appointee, or in the legislative branch as a law maker or public servant, or in the judiciary as a judge, magistrate, clerk, etc. It is noteworthy that this conception of corruption presupposes a scarcity of the service in question, discretion on the part of the office holder, and ignorance or impatience on the part of the service consumer.

The school of public office creates an impression that corruption is solely "a disease of government" (Brown, 2006, p. 62). However, corruption also occurs in the private sector. To account for private sector corruption, the public office school has been extended to cover corruption in the private sector by market-centred and public pricing perspectives (Brown, 2006). However, this chapter argues that market-centred perspectives tend to be narrower in scope

because of a near complete identification of corruption with bribery and add nothing to our understanding of corruption beyond the application of the public office approach to the private sector. The process of exacting bribes is identified with the pricing mechanism.

The public pricing perspective views corruption as a shift from one pricing model to another. According to Tilman (1968, p. 440) corruption "involves a shift from a mandatory pricing model to a free-market model". Corruption occurs when "Clients … decide that it is worthwhile to risk the known sanctions and pay the higher costs in order to be assured of receiving the desired benefits". The basic manifestation of corruption here is as bribery and corruption can occur only under conditions of monopoly and short supply; not under free market operations where the forces of demand and supply decide the availability or otherwise of a service or product. Under free market operations a willingness to pay a higher price for a service ordinarily going for a lower price level is explained in terms of the value attached to the service and urgency of the need. Such urgency manifesting in the public sector results in corruption. The public pricing perspective, though market-centred, is no more than an application of the public office perspective to the private sector.

4.2.2 The public interest perspective

Brown (2006) as well as Kurer (2005) attribute this perspective to Carl Friedrich. In Friedrich's definition of corruption already quoted above, there is a reference to damage to the group to which fiduciary office holder belongs. According to Brown

> corruption was best identified not through technical conflict between official duty and private interest, nor economic explanation of the relationships involved, but when 'damage to the public and its interests' is caused by a responsible office-holder or functionary being induced by monetary or other rewards to take illegitimate actions (2006, p. 67).

While taking public office as its point of departure, the public interest perspective focuses on the consequences of the corrupt behaviour for the collective which the public office holder was elected or appointed to serve. The difficulty with the determination of what constitutes the public interest notwithstanding, this perspective identifies as corrupt any behaviour that perverts or

obviates the original purpose for which an office was created for private gain. The emphasis on beneficiation to the office holder helps to further delimit conduct that can be regarded as corrupt. The delimiter in this case is the motive for the damage and the relation of the conduct to the law governing conduct in that position. This helps to differentiate damage arising from incompetence from those deliberately instigated because of desire for private gain as well as the legality or illegality of the conduct. The essence of this perspective is that "if an act is harmful to the public interest, it is corrupt even if it is legal; if it is beneficial, it is not corrupt even if it violates the law" (Gardiner, 2002, p. 32).

4.2.3 Public opinion perspective

Public opinion is the third major source of standard for the definition of corruption. This relates to "how the people in a nation define corruption" (Gardiner, 2002, p. 32). The public opinion perspective does not provide a definition of corruption; rather, it takes corruption to be what the people of the nation or group concerned say it is. While law may be the formal expression of the opinion of the people of a country, it often lags behind the times and often does not move in tandem with the culture of the people. The public opinion perspective has great importance for the success or failure of anticorruption programmes because, where there is variance between statutes and citizens' opinion on corruption, "officials and government employees will be guided more by local culture than by the words of law" (Gardiner, 2002, p. 32). It is recognized that there may be so single public opinion on any one issue but then, the relevant opinion for the given time will be that of the most powerful group. And according to Kurer (2005), public opinion is both a source for a definition and a criterion for the evaluation of definitions of corruption.

Whether we approach corruption from a public-office, public interest, public-opinion, legal, or market perspectives, the focus is on the action of an actor performing a rule or convention defined role as definitions of generally present it as "a description of activities emanating from and related to officialdom" (Eker 1981:173).

4.3 Measurement of corruption

Corruption is difficult to measure (Galtung, 2006). However, it is imperative that the phenomenon be measured because that is the only way to substantiate the existence of corruption (Duncan, 2006, p. 131). Measurement entails the determination of operations to represent concepts; "the process by which phenomena are observed systematically and represented by scores or numerals" (J. B. Johnson & Reynolds, 2005, p. 183). Most extant indices measure perception rather than experience of corruption. They also tend to measure different phenomena and are of doubtful validity (Hawken & Munck, 2009). Thus, while there is

> [A] multitude of cross-national quantitative data sets on corruption […] the validity of these measures of corruption are not readily apparent and the different measures of corruption lead to differences in the factors that are seen as correlates of corruption (Hawken & Munck, 2009, p. 6)

The difficulties in the measurement of corruption arise partly from the problem of defining corruption. There are broad and narrow definitions of corruption (Nye, 1967). Broadly defined, corruption refers to "perversion or a change from good to bad, it covers a wide range of behaviour from venality to ideological erosion" (Nye, 1967, p. 419) Nye contends that the broad definition of corruption is "more relevant to moral evaluation than political analysis" (Nye, 1967, p. 419) because it is difficult to make operational. Narrow definitions are rendered in relation to a referent standard and are easy to operationalize. As already noted, there are also different perspectives to the definition of corruption with each perspective emphasizing different manifestations or dimensions of the phenomenon (Kurer, 2005). There is thus no agreement on the definition of corruption. Until there is agreement about what constitutes a phenomenon, its measurement will remain problematic. This said, definitions focusing on bribery and bribes are more amenable to measurement than those which are more inclusive. But even bribery transactions cannot be directly observed and are estimated by self-reports of respondents about their perception of frequency of being asked for a bribe by government agencies[25]. However, as Lotspeich notes, "no party to the transaction has much incentive to report it" (Lotspeich in W. L.

---

[25] This is the practice adopted in the compilation of the World Values Survey and the International Crime Victims Survey, as well as the Corruption Perception Index by Transparency International

Miller, 2006, p. 165). Besides, "the parties to successful agreement seldom have an incentive to be open about their dealings"(Galtung, 2006, p. 101). Moreover, asking respondents about their perception of the frequency of being asked for bribes by government officials seems to suggests that only government officials drive bribery transactions and that the payer is only a victim. This is far from the truth as bribery often originates in traditional gift giving practices and gifts are not ordinarily solicited or extorted. Opacity of rules may in themselves suggests that the responsible official is interested in some form of motivation or incentive for the performance of official duties but this amounts more to a wrong reading of a situation than an indirect demand for bribe or some other gratification by an official. This chapter argues that the private sector cannot be exonerated from corrupt practices.

For example a World Bank survey of corruption among business practitioners in Nigeria showed reticence among the respondents (Clausen, Kraay, & Murrell, 2010). This chapter contends that while overall the proportion of reticent respondents at13.1 per cent may seem not too significant, the content of some of the random questions intended to elicit information about reticence, such as "Have you ever paid less in personal taxes than you should have under the law?" (Clausen et al., 2010, p. 17) suggest a higher level of reticence. This is because by merely not completing the income tax return forms, one may pay less tax than is due under the law because it is widely known that in Nigeria people pay taxes mainly on their salaries and fail to declare other sources of income they may have. The World Bank study also found that respondents with above secondary education were more likely to be reticent than those without and that jurisdictions with better governance have lower levels of reticence.

The difficulties of definition and measurement notwithstanding, major strides have been made in the measurement of corruption, especially at the macro level. Some of the efforts to measure corruption and corruption related phenomena include the Opacity Index produced by PricewaterhouseCoopers; the World Business Environment Survey (WBES) jointly produced by the World Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank and Harvard University, and the International Crime Victims Survey (ICVS) produced by the United Nations (Galtung, 2006). All these indices use opinion surveys to assess

the levels of corruption in the countries and organizations they cover. The most popular and notable indices have however come from Transparency International which publishes a Corruption Perception Index (CPI), a Bribe Payers' Index (BPI), and a barometer of corruption with a regional focus. The Corruption Perception Index published annually since 1995 is familiar to even the common man on the streets of all major cities across the globe. It is especially well known in Nigeria where the slightest improvement in CPI is celebrated. In addition to the CPI, and with specific reference to Nigeria, there is also the Nigeria Corruption Index (NCI) which "captures corruption as experienced by ordinary Nigerians in their interaction with officials of government establishments" (Transparency International, 2007c). However, the latter measure has the major limitation that corruption was defined narrowly as bribery.

There are few education sector specific measures or indicators of corruption. The major extant measure, public expenditure tracking survey (PETS), is more a method of determining the existence of corruption than of measuring the level of corruption in the education sector and is not exclusive to the education sector. For instance, the first PETS were conducted in the health and education sectors in Uganda (Savedoff, 2011). Moreover, PETS are concerned with service delivery rather than incidence of corruption. PETS are "quantitative exercises that aim to track the flow of public resources across various layers of the administrative hierarchy, from the allocating agency to the intended beneficiary, and determine inefficiencies in the system and their magnitude" (Savedoff, 2011). Gauthier and Reinikka (2007, p. 14) add that PETS is

> [D]esigned to track the flow of resources through the administrative system, on a sample survey basis, in order to determine how much of the originally allocated resources reach each level. It is a useful tool for locating and quantifying political and bureaucratic capture, leakage of funds, and problems in the deployment of human and in-kind resources such as staff, textbooks, and drugs.

In essence then, PETS is a diagnostic tool which measures resource leakages along the policy implementation chain. Students are ordinarily not in any position to siphon resources except where they take excess of physically displayed consumables for their future use and deprive other students of the use of such resources in the present or in cases where student organizations are used to identify potential beneficiaries of a service. Examples of the former, which we may

regard as a form of hoarding, may include hiding books in the library so that other users cannot find them to borrow or taking toiletries meant for general use for their private use. The latter case, that is, student organizations being used to identify service beneficiaries and therefore being in a structural or 'official' position to siphon or divert resources along the delivery chain, cannot be solely executed by students. Representatives of student organizations who assist with identifying legitimate service consumers require the connivance or active collaboration of administrative staff to successfully execute the diversion of resources to personal use. PETS and PETS-like measures such as the Quantitative Service Delivery Survey (QSDS) and Citizens Report Card Surveys (CRCS) will serve little direct purpose in the investigation central to this study. But they are nonetheless important because resource leakages may affect the quantity and quality of the resources actually available for service delivery in higher education institutions and therefore to that extent, contribute to the conduciveness of the environment of such institutions for corrupt practices. Also, although the leakages captured by PETS may not imply corruption, PETS are "helpful in identifying problems with expenditure and financial management, including corruption in these areas" (Voorbraak, Kaiser, & Gurkan, 2009, p. 5).

In principle, the only measure of corruption fully and specifically applicable to higher education student corruption is the Examination Malpractice Index (EMI). EMI measures involvement in examination malpractice and may be expressed as a ratio, percentage or proportion. It is obtained by dividing the number of candidates caught indulging in examination malpractice by the total number of candidates entered for that examination and expressing the product as a ratio, percentage or proportion. Emiloju and Adeyoju (2012) espouse the view that EMI is persistently high in Nigeria, ranging between 5 and 12 per cent. However, available data on EMI is mainly about public examinations conducted by WAEC, NECO, JAMB, NBTE, and other public examination bodies because tertiary institutions do not generally publish data on malpractices in internal examinations. However, where the population from which higher education students are drawn demonstrate a high propensity to engage in examination malpractice as is the case in Nigeria, it is expected that this form of corruption will exist in the higher education system. It is perhaps this expectation that has necessitated the reproduction of sections of the Examinations Malpractice Act in the student handbook in many tertiary institutions.

4.4 Defining educational corruption

This section deals with two related issues – the meaning of educational corruption and the determination of what constitutes corruption in education.

4.4.1 What is educational corruption?

Defining corruption in education is as problematic as, if not more problematic than defining corruption. Arguably, it is more problematic because it is at least a two-word concept – educational corruption, corruption in education, or corruption of education which are used by different writers to describe corruption in the education sector; they are also sometimes used interchangeably. There is no consensus or consistency about which term to use, "corruption of education" or "corruption in education" or "educational corruption". Thus some writers refer to "education corruption" [Heyneman 2004], others to "corruption in education" (Hallak & Poisson, 2002; Vincent R. Johnson, 2007; Osipian, 2004, 2007b, 2008a; Rumyantseva, 2005) and still others to corruption of education (Washburn, 2006). Hallak and Poisson (2005, p. 4), use 'corruption in education' to refer to "corruption in the management of the education sector". Some writers such as Rumyantseva (2005) use educational corruption interchangeably with corruption in education. As Osipian (2007a) points out, "corruption of education" suggests that the corrupting influence is external to the education sector. This is perhaps why early studies of corruption in the higher education sector such as Washburn (2006) focused on the role of the corporate world in research and the role of politicians and bureaucrats in syphoning money meant for the running of schools, teacher recruitment and deployment, and teacher absenteeism all of which impact negatively on the child. The term "corruption in education" recognizes that corrupting influences have internal dimensions as well in addition to the external agencies emphasized by corruption of education.

Both terms, corruption of education and corruption in education, are however somewhat clumsy and deviate from the accepted practice of identifying corruption by context of occurrence and denoting that context by qualifying the noun, corruption, with an adjective derived from that context. Political corruption, bureaucratic corruption, and police corruption to cite a few

93

examples, are all named after the context in which the corrupt conduct takes place. Following general usage, we shall term corruption in the education sector educational corruption.

The concept 'educational corruption' has generally been defined from the public office perspective. Hallak and Poisson (2002:17) define it as "the systematic use of **public office** for private benefit whose impact is significant on access, quality, or equity in education" [my emphasis]. Corrupt activity for them includes "clientelism, soliciting or extortion of bribe,[and] theft of public goods"(Hallak & Poisson, 2002, p. 16). The term 'systematic' suggests that a once off use of public office for private gain, no matter how significant its impact on access, quality, or equity in education may not qualify as corruption. As they point out, this definition does not help much in differentiating between corrupt and non-corrupt behaviour in certain context. They cite the practice at some US universities of giving admission preference to children of alumni as one such difficult conduct (Hallak & Poisson, 2002). The emphasis on access, quality, and equity is to draw attention to the key corruption nodes in the formal education sector. Tanaka (2001:158) defines educational corruption as the "mal-utilization of office for unofficial ends". According to Heyneman (2004, p. 637) educational corruption is *"the abuse of authority for personal as well as material gain".*

The public office approach to defining educational corruption entails a public office versus private gain dichotomy which it is inappropriate to apply to students. It cannot accommodate students as corrupters because they do not hold or control office as that term is commonly understood. Students do not exercise any authority. As noted above, the public office perspective views authority as a prerequisite of corruption. Even so, it can be argued that students qualify as fiduciaries in Gambetta's formulation of the principal-agent-client model of corruption by their participation in examination malpractices which undermines the quality of educational products and therefore betrays the trust of the public in educational qualifications. Such participation is mediated by officials whose responsibility it is to monitor and control the conduct of students. From the perspective of public office definitions, students can participate in corruption but only as 'driven' and not 'drivers'; as corruptees and not corruptors. They are seen as responding to the exercise of power on the part of civil servants or teachers when they give bribe (for example,

Chapman 2002:4 argues along these lines). Students are portrayed as victims of others' corrupt practices. However, a definition of educational corruption which accommodates or accounts for corrupt behaviour among students is important. This is so because education is a "haven for the young"(Stephen P. Heyneman, 2007, p. 2) of today who are the leaders of tomorrow.

Johnson (2007), though also an adherent of the public office perspective, attempts a way out of this limitation of the public office definition of educational corruption by focusing on the conduct and its consequence rather than the office that performs it. According to him,

> Corruption in education entails (1) serious criminal conduct, (2) tortious conduct in the nature of fraud or intentional breach of fiduciary duty, or (3) conduct that betrays the values that form the moral basis for the educational process, foremost among those being intellectual honesty. In order to constitute educational corruption, conduct must relate to the performance of educational duties (Vincent R. Johnson, 2007, pp. 6-7).

This definition seems helpful in determining what constitutes educational corruption especially in light of the emphasis on the product of the educational process. An examination of the quality of the outcomes of educational processes will for example, show whether the purposes of that process were achieved. It does not automatically exclude non-office holders as corruption drivers as is the case with mainstream public office definitions of educational corruption such as those by Hallak and Poisson (2002) and Heyneman (2004). It is also noteworthy that gain or beneficiation is also not central to the understanding of educational corruption from this perspective.

However, Johnson leaves too many questions unanswered. For instance, can a conduct be deemed corrupt only if all the three criteria are met? If a conduct betrays the values that form the moral basis for the educational process but is not a crime under existing laws, is such conduct deemed corrupt? Again, how serious must criminal conduct be before it constitutes corruption? Or will every illegality amount to corruption? On what basis will wrongdoing be determined? These and many more questions could be raised about the clarity or viability of Johnson's perspective.

To avoid the ambiguity associated with broad definitions of educational corruption; Osipian defines it narrowly as illegality. He refers to corruption as "a system of informal relations established to regulate unsanctioned access to material and non-material assets through abuse of the office of public or corporate trust"(Osipian, 2008a, p. 347). Osipian holds that "granting access to publicly funded higher education on any premise other than academic merit is equated to corruption"(Osipian, 2008a, p. 347). Extrapolating from the logic of Osipian's argument Nigeria's access policy aimed at achieving educational balance among the different component states of the country qualifies as corruption. He however allows that "corruption in higher education is time- and place- specific" (Osipian, 2008a, p. 347). The illegality criterion is unable to ensure an objective determination of corruption because of its internal contradiction arising from purposeless legality. The essence of law is to bring about some desired end in society; in other words, law is primarily an instrument of social engineering and once a society has defined some set of goals it wants to pursue and made a law to attain that end, so long as the law making process was followed, such a law cannot at the same time be illegal. What is lawful must be legal.

4.4.2 What forms of conduct constitute corruption in education?

Just as the definition of educational corruption lacks scholarly consensus so do the forms or modes of conduct that constitute corrupt practice. According to Heyneman et al (2008:1) educational corruption includes 'monetary bribery' and "non-monetary corruption: the illegal changing of student grades or examination scores for reasons of doing 'a favour' in support of family, friends, or important personalities". In other words educational corruption consists in bribery, fraud, forgery, favouritism, and nepotism. For Shaw (2005:2), educational corruption includes "bribing on exams, term papers, to pass classes (credits), and to enter an institution. Bribes can take the form of money, favours, or gifts". Hallak and Poisson (2007) identify five main forms which corruption may take. These are embezzlement, bribery, fraud, extortion and favouritism. Embezzlement refers to "the theft of public resources by public officials' and may involve 'the use of funds aimed at school construction for the financing of political parties or political campaigns"(Hallak & Poisson, 2007, p. 57). Extortion involves the extraction of

resources by "the use of coercion, violence or threat to use force" (Hallak & Poisson, 2007, p. 57) and includes sexual harassment of students and the levying of illegal fees.

Osipian (2007b:315-6) presents a broad range of forms which higher education corruption may take.

> Corruption in higher education is not limited to academic corruption, nor […] bribery. Bribes are but the most explicit manifestations of corruption in education. Other forms of corruption include embezzlement, fraud, nepotism, clientelism, patronage, cronyism, favouritism, kickbacks, cheating, plagiarism, research misconduct, ethics and sexual misconduct, and abuse of private property. Corrupt practices in education may also be linked to academic publishing and distribution of textbooks, mismanagement, misallocation of public resources, and gross waste.

From the foregoing, the distinguishing character of educational corruption is that it occurs in the education sector. Educational corruption corresponds with Gambetta's assertion that corruption comprises "an array of social practices […] which either emerge from or bring about a state of degradation in certain institutions" (Gambetta, 2002, p. 33). The perpetrators of corrupt practices need not accept them as corrupt for the practices to be so regarded. Thus students might engage in some of the activities described as corrupt without thinking of them as such[26].

4.5 Higher Education: definitions

The definition of higher education depends on the socio-political context of education; that is, each country tends to have its own concept of higher education (Tella, 2008). However, it is widely used to refer to "post-secondary education (or study beyond the level of post-secondary education), where a degree, diploma, or certificate is awarded at the end of study" (Tella, 2008, p. 359). Thus the Encyclopaedia Britannica Concise defines higher education as

> Study beyond the level of secondary education. Institutions of higher education include not only colleges and universities but also professional schools in such fields as law, theology, medicine, business, music, and art.

---

[26] "I didn't think it was cheating because I didn't even stop to think about it." so said a student who submitted someone else's work downloaded from the internet as her own (Kleiner and Lord:1999)

> They also include teacher-training schools, community colleges, and institutes of technology. At the end of a prescribed course of study, a degree, diploma, or certificate is awarded ("higher education," 2011).

The concept of higher education is often used interchangeably with tertiary education.

Higher education is critical to human capital formation, social cohesion, economic development, and democracy. From the viewpoint of human capital theory, "economic development of a country is contingent on capital formation achievable through investment in human beings" (O. E. Anyanwu, 2011, p. 8). Nigeria subscribes to this theory and has made investment in education a major national developmental priority. Higher Education is the primary locus of research and development as well as innovation. It is also the main mechanism by which a society could reproduce and regenerate itself. In Nigeria higher education is provided in higher education institutions comprising of monotechnics, colleges, polytechnics, and universities, and which ordinarily admit graduates of the secondary school system.

According to Gumport (2000) higher education can be viewed from two angles: as a social institution and as an industry. Gumport (2000) argues that the idea of higher education as a social institution is gradually being displaced. She defines social institution as "an organized activity that maintains, reproduces, or adapts itself to implement values that have been widely held and firmly structured by the society" (Gumport, 2000, p. 73). Higher education as social institution thus refers to the various institutional frameworks in which post-secondary education is provided and reflects the dictionary meaning of the concept. It is also the primary concept adopted by national education authorities in their definition of higher education. Higher education as social institution is expected to achieve societal goals often encapsulated in public policy and aimed at the regeneration and reproduction of the values and norms of a society. Gumport holds that higher education as social institution

> sees educational organizations devoted to a wide array of social functions that have been expanded over time: the development of individual learning and human capital, the socialization and cultivation of citizens and political loyalties, the preservation of knowledge, and the fostering of other legitimate pursuits for the nation-state (2000, p. 74).

Higher education as industry differs from higher education as a social institution in terms of the goals higher education institutions are established to pursue and not in the context of the activity described as higher education. But the distinction is important because higher education as industry has resulted in adoption of market principles and practices by higher education institutions such that they no longer emphasize institutional traditions and legacies but bend to the sovereignty of the consumer (Maassen & Cloete, 2006). According to Sykes (1990), pandering to student sovereignty is responsible for the emergence of the "hollow men[27]". One may note that the emphasis higher education institutions place on throughput or success/pass rate of students is due to the adoption of business principles by the management of such institutions. Higher education as industry also draws attention to the problem of determining whether and to what extent it can be regarded as a public good. The higher education industry is a service industry and is more akin to commerce than manufacturing in the way it operates but in terms of its products, it is like other manufacturing concerns even though its products are qualitatively different.

Linking the two views of higher education as institution and higher education as industry is a third view according to which higher education is an organized programme of studies. Thus Okeke defines higher education as

> [A]n organized programme of studies directed towards the tapping of special and varied talents of individuals with appropriate teaching personnel and facilities to achieve the objectives which a nation considers essential for orderly security, progress, and modernization (Okeke, 1986, p. 59).

The focus here is on the core activities that higher education institutions engage in and around which the higher education industry has developed. Higher education in this sense involves organized skills and knowledge development at the post secondary level through the harnessing of the talents of individuals with the aim of meeting the developmental, security, and stability needs of a nation.

---

[27] The title of his book is <u>The Hollow Men: Politics and Corruption in Higher Education</u>

4.6 The nexus between higher education and corruption

The relationship between corruption and higher education is complex and multidimensional. Hallak and Poisson (2005), in their discussion of the relationship between corruption and education, distinguish between "corruption in education and education against corruption". They use corruption in education to refer to corruption in the management of the education sector while corruption against education entails the use of "education as a means to fight corruption (curriculum, methods used, and mobilization of actors)". They recognize a relationship between the two dimensions. They hold that where there is corruption,

> [E]ducation cannot successfully promote ethical values and behaviours. In other words, to create a favourable environment for the teaching of values, it is crucial to ensure integrity and limit unethical behaviours within the educational sector (Hallak & Poisson, 2005, p. 4).

They also make a distinction between the opportunity for corruption and the rationale for participation in corrupt practices. The opportunities for corruption exist independently of the rationale and occur in the "institutional setting, existing procedures and mechanisms" (Hallak & Poisson, 2005, p. 4). This study refers to the opportunities for corruption as the structures of corruption. Structures of corruption are the primary focus of a number of important studies on corruption in education such as Hallak and Poisson (Hallak & Poisson, 2007; 2002, 2005); Heyneman (Stephen P. Heyneman, 2004, 2007, 2010), and Heyneman et al (2008).

Table 2.2 depicts opportunities for corruption in the education sector identified by Hallak and Poisson (2005). The "areas" in the table refer to the contexts which provide opportunities for corrupt practices. Students are not in control of any of the areas in which opportunities for corruption occur, nor are they drivers of the various corrupt practices identified in the second column. Rather, they suffer in various ways from those practices.

Table 4.2 Typology of opportunities for corruption

Areas	Corrupt practices	Impact on education
School building, rehabilitation	•Fraud in public tendering • Embezzlement • School mapping	Access Quality *Example*: bad location of schools; too high or too low use; demand for places unattended
Equipment, Textbooks, Food	•Fraud in public tendering • Embezzlement • Bypass of criteria	Equity Quality *Example:* school meals free to the rich and not available for the poor; lack of consistency between textbooks and curricula
Teacher appointment/ management	• Favouritism • Nepotism • Bribes	Quality *Example:* less qualified teachers appointed
Teacher behaviour	• "Ghost teachers" • Bribes (for school entrance, exams, assessment, private tutoring, etc.)	Equity Ethics *Example:* disparity in staffing by schools; discrimination against the poor
Examinations and diplomas	• Selling of information • Favouritism • Nepotism • Bribes • Academic fraud	Equity Ethics *Example:* unjustified credentials available to students who can afford to pay bribes
Information systems	• Manipulating data •Selecting/suppressing information	Equity Ethics Policy priorities *Example:* omitting data on repetition/ dropout; less priority on quality improvement
Specific allowances (fellowships, subsidies, etc.)	• Favouritism • Nepotism • Bribes • Bypass of criteria	Access Equity Example: inflating enrolment figures to increase financial transfers
Finance	•Transgressing rules /procedures • Inflation of costs and activities • Opacity of flow • Leakage of funds	Access Quality Equity Policy priorities Example: less resources for quality improvement: textbooks, materials, etc.

Source: (Hallak & Poisson, 2005, p. 5)

Corruption impacts negatively on education. It denies the education sector the requisite policy attention and budgetary resources necessary for its proper growth and development (Hallak & Poisson, 2002; Tanzi & Davoodi, 2000). It also increases the costs while simultaneously reducing the availability and quality of higher education (Hallak & Poisson, 2002; Stephen P. Heyneman et al., 2008). Corruption erodes the core values of the educational process (Rumyantseva, 2005) and "may detract from a nation's sense of social cohesion" (Stephen P. Heyneman, 2004, p. 638). According to Transparency International (2007a, p. 1),

> Corruption defeats the very purpose of education. In corrupt education systems, students don't acquire the skills and knowledge that would enable them to contribute meaningfully to their country's economy and society. They learn from a young age that a lack of integrity is an acceptable way of life.

In a similar vein, Cheung and Chan (2008a, p. 2) argue that "education corruption weakens public trust in higher education and the quality of education, trains youngsters to be unprofessional, and encourages in them distorted values and culture". Corruption also

> [E]xacerbates inequalities and leads to low enrolment and high drop-out rates, particularly among the poor who cannot afford to pay bribes and illegal fees for access to schools and universities (Transparency International, 2007a, p. 1).

Corruption in such forms as teacher absenteeism (which in higher education institutions may take the form of moonlighting by lecturers), sex-for-grade, money-for-grade, and alteration of examination scores negatively impacts and undermines the quality of higher education goods – the graduates of higher education institutions. Corruption may also lead to "misallocation of talents… by interfering in the selection process…, undermine employers and the general public's trust in the value of education, and more specifically of diplomas" (Hallak & Poisson, 2007, p. 56). According to Rumyantseva (2005, p. 83)

> Many employers in Russia and the Ukraine explicitly state in job advertisements that only graduates from certain universities are welcome to apply… because they do not trust other institutions due to corruption.

Similar observations have been made about products of the Nigerian higher education system. Thus Akinyanju (2002)[28] observed with regard to university graduates that "the private sector is spending an inordinate amount retraining our products at a level that should have not been warranted" and that lecturers are "being asked to perpetrate fraud, to connive at churning out sub-standard products — research and graduates" because of lack of funding arising from corruption. Braide (2002) opines that Nigerian graduates are barely literate while Akinyanju (2002) adds that senates of universities award "unworthy degrees". Nwaopara, Ifebhor and Ohiwerei (2008) share in this gloomy portrayal of the products of Nigerian higher education institutions. In all these cases the poor quality of graduates of Nigerian universities, polytechnics and colleges is attributed to lack of facilities and poor funding which are in turn blamed on corruption among politicians.

Corruption has denied the Nigerian education sector, including higher education, the necessary budgetary resources for its growth and development. According to the Special Rapporteur of the Commission on Human Rights of the United Nations,

> Corruption in official circles and mismanagement have both direct and collateral consequences for the enjoyment of social and economic rights and also for civil and political rights. The obligation to "take steps ... to the maximum of ... available resources" towards the full realization of economic social and cultural rights is seriously and fundamentally undercut by the corrupt diversion of the "available resources" of the State and its consequential effect on the fulfilment of State obligations to citizens (Sorabjee, 1999, p. para 59).

Corruption also affects higher education at the point of entry into higher education institutions. This manifests in the lack of absorptive capacity by higher education institutions to admit all qualified candidates. The lack of absorptive capacity has led to universities conducting entrance examinations for candidates who had already passed the university matriculation examination (UME).

---

[28] Webpage, no page numbers provided

On its part higher education provides a fertile ground for corruption (Osipian, 2007), perhaps, by reason of the traditional autonomy of higher education institutions, their ivory tower image or what Hallak and Poisson (2007:55) refer to as *"la mistica de la educacion"*[29], and the great transformations that are taking place in the sector – rapid development, partial privatization, and increasing inflow of financial resources (Osipian, 2007:313 and Tanaka, 1998:158). Weidman and Enkhjargal (2008, p. 64) observe that education is "among the largest components of public expenditure" and involves many actors at different levels of government thereby providing great opportunities for corruption. Education has also been found to correlate with reticence in corruption surveys: this is one of the findings of a World Bank survey of corruption in Nigeria. . According to Clausen, Kraay, and Murrell "respondents that have an education at or above the secondary level are significantly more likely to be reticent" (Clausen et al., 2010, p. 7). On a positive note, education provides an effective mechanism for combating corruption (Marquette 2007). Cheung and Chan (2008) also argue that as the number of people participating in tertiary education increases, the incidence of corruption in a country decreases. However, the relationship between corruption and education remains to be fully mapped and described.

4.7 Educational corruption: Causes

It is difficult to be categorical about 'causes' of educational corruption. Research on educational corruption has not definitively established its causes. Rather, several factors and conditions have been hypothesized as being conducive to the growth of the phenomenon in its different manifestations. The putative causes often derive from the constitution or conceptualization of corruption and the segment of education stakeholders that are under consideration. Educational corruption has been attributed to "the rapid development of higher education, its privatization and increasing flow of financial resources" (Osipian, 2007a, p. 313). Petrov and Temple (2004) regard corruption in higher education as an aspect of the prevalent culture of corruption in the social environment of higher education institutions. This view is shared by many writers on corruption in higher education (Osipian, 2007a)

---

[29] This can be literally interpreted as "the mystique of education"

Thus Shaw (2005), viewing corruption as bribery, attributes the phenomenon to degree of corruption perception, gender, parents' occupation (especially the father's), job market perceptions, student's opinion of acts of corruption, and prior experience of corruption – bribing behaviour in secondary school. According to Bernardi, Metzger, and Bruno (2004) who define corruption as cheating, the causes of the phenomenon include situational factors, attitude towards cheating, clarity of rules, existence of honour codes, and repeating examination paper. Teixeira and Rocha (2006) also regard corruption as cheating. They claim it is determined to various degrees by seven groups of factors - student characteristics, factors related with the education institution , cost of detecting academic dishonesty, probability of detecting copying , benefits from copying when not caught, benefits of not copying and 'other factors' – students' opinion on copying, students' perception of the percentage of students who copy, intensity of work, pressure not to fail, type of course, student background, student origin, country/region.

Similar to Bernardi et al (2004) and Teixeira and Rocha (2006), McCabe[30], collaborating severally with various scholars, attribute cheating behaviour to contextual factor. According to McCabe et al (2002), there are recurring contextual factors which influence cheating behaviour among students. These factors are "perception of peers' behaviour"; "student perceptions of the understanding and acceptance of campus integrity policies"; "the perceived certainty of being reported for cheating", "the perceived severity of campus penalties for cheating"; and "the presence or absence of an academic honour code" (Donald L. McCabe et al., 2002). Cheating may be on tests or essays. Either way, cheating constitutes a form of examination malpractice.

Olasehinde-Williams, Abdullah and Owolabi (2003) examined the prevalence of cheating behaviour, the relationship between attitude to cheating and actual cheating behaviour, and the factors contributing to cheating behaviour among students of a Federal university's Faculty of Education. The study found that (i) cheating was widespread (higher than 60 % in all courses), (ii) men were more likely to cheat than women, (iii) low academic achievers are more likely to cheat than high achievers, (iv) there is a high level of defensive rationalization among cheaters,

---

[30] (Donald L. McCabe & Trevino, 1993; Donald L. McCabe, Butterfield, & Treviño, 2003; Donald L. McCabe & Trevino, 1997)

(v) students of management related courses are more likely to cheat than others, and (vi) there is inconsistency between students' expressed attitude to cheating and their cheating behaviour. With regard to the last point the authors report that "the rate of cheating observed in this study was inconsistent with the students' expressed attitude to cheating in their responses to the attitude to cheating questionnaire. Almost all the students reported disapproval of cheating"(Olasehinde-Williams et al., 2003, p. 10). The summary of their findings is that cheating behaviour is attributable to gender, academic level of performance, and the course of study.

Examination malpractices are on the increase in spite of stiff penalties prescribed for the offences by law. Malpractice pervades all levels of the Nigerian educational system and involves "pupils/students, teachers, school administrators, parents, examination invigilators and supervisors, custodians of examination materials, officials of examination bodies and law enforcement agents", according to Abdulkareem and Alabi (2004). Abdulkareem and Alabi (2004) highlight twelve forms of examination malpractices as provided for by the Academic Policies of the universities of Port Harcourt and Ilorin, suggesting that some educational institutions take measures to inform students of what constitutes malpractice and the consequences of such actions. In a study of students who had been found guilty of examination malpractice Landu (2004) discovered the main reasons for involvement in the practice to be lack of knowledge about penalties for malpractice, inability to attend lectures regularly, poor seating arrangements, inability to resume early during semester, and inability to comprehend subject matter. Between 60 and 78 per cent of respondents cite these factors as reasons for their involvement in examination malpractices.

Table 4.3: Reasons proffered by offenders for involvement in examination malpractice

S/No	Reasons	Frequency	%
1	Inability to attend lectures regularly	79	64.2
2	Inability to have reading material on subject	47	43.1
3	Lack of knowledge about penalty on malpractice	85	78
4	Friends provide encouragement	31	28.4
5	Teachers/supervisors non-vigilance during supervision	39	35.8
6	Ineffective Invigilation	58	53.2
7	Inability to comprehend the subject matter	66	60.5
8	Lack of serious penalty for past offenders	59	54.1
9	Poor sitting arrangement	70	64.2
10	High parental expectation	55	50.4
11	Peer expectation	25	29.9
12	Inability to resume early during semester	68	62.4

Source: Landu (2004)

In addition to the causes cited in Landu (2004), Ijaiya (2004), and other writers, Abdulkareem and Alabi (2004) list moral decadence and incessant staff strikes as contributing to the incidence of cheating behaviour among students of higher education institutions. They propose strategic management involving proper articulation of the role of the various members of the university community towards the realization of the goals of the university as the panacea to the menace of examination malpractices

Onuka and Amoo (2008) argue the ineffectiveness of Act 33 of 1999 in curbing examination malpractices. For them examination malpractice "involves a deliberate act of wrongdoing contrary to official examination rules, and a design to place a candidate at an unfair advantage or disadvantage if the laws of the land are inappropriately utilized" (Onuka & Amoo, 2008, p. 2). They contend that examination malpractices have become systemic and organized and that "differences in evaluation procedure and inconsistencies in the application of relevant laws regulating the educational system in Nigeria" (2008, p. 3) are responsible for the new emergent trends. Onuka and Amoo (2008) reviewed the provisions of the Examination Malpractices and Related Offences Act of 1999, highlighting areas where such provisions now lag behind the new

emergent forms of malpractices. For example, Act 33 of 1999 did not envisage the use of electronic communications gadgets in aid of cheating. In their recommendation on how to curb the menace however, they demonstrate a lack of proper appreciation of the pervasiveness of the phenomenon one gets from reading the literature on examination malpractices. For example, they suggested the use of invigilators outside their areas and communities, use of law enforcement agents, and collaboration with other government agencies among others (2008, pp. 12-14). These, as other studies show, are generally part of the problem. The use of invigilators outside their communities is also fraught with grave danger as shown by the killing of Ms. Oluwatoyin Olusesan (Adujie, 2007) who attempted to prevent malpractice but paid with her life.

The students involved in the Oluwatoyin Olusesan incident are not the only ones who see nothing wrong in bringing foreign materials into examination venues. Thus Alutu and Aluede (2006) report that "majority of students have a wrong notion about examination ethics"; holding that it is ethical for teachers to help their students to pass examination; parents to support their children to cheat; and for school principals to arrange corporate cheating in their schools (A. N. G. Alutu & Aluede, 2006, p. 299).

The implication of the above finding is that students (secondary students in this case), consider it proper for teachers, parents, and principals to assist them to pass their examinations against the rules of such examinations. A very worrisome thing about this finding is that it is from this class of students that those entering the higher education system are drawn.

4.8 Educational corruption: taxonomies

There are different classifications of educational corruption. The various schemes aim to provide a model or map for a proper understanding of the corruption phenomenon in the education sector. Basically, they focus attention on the areas in which corruption may occur and the forms it may take. In Tanaka's (2001) classification, corruption requires vertical power relations to operate. It occurs in three major educational areas – procurement, educational or school administration, and teachers' corruption in classrooms – and in four dimensions, namely scale, context, actors and agencies, and traded items. The dimensions of education corruption focus

attention on who perpetrates what form and magnitude of corruption and at what level, and highlight the complexities that characterize corruption in education. Though recognizing that corruption could be student driven, Tanaka argues that this is rare and of less consequence because of the vertical structure of the teacher-student relationship especially in developing countries (Tanaka, 2001, p. 160).

Chapman's classification of corruption in education, based on the nature and the purpose of an act, comprises "blatantly illegal acts of bribery or fraud", "actions taken to secure a modest income by people paid too little or too late", "actions taken to get work done in difficult circumstances", "differences in cultural perspectives (e.g., gift-giving)" and "behaviour arising from incompetence" (Chapman, 2002, pp. 4-5). These various forms may occur at one or more of the following levels: central ministry, region/district, school, teacher/classroom, and international agencies. While students may be affected by corruption at all the five different levels, it is only at the classroom/teacher level that they may be involved as participants or drivers, mainly as buyers of grades.

Heyneman (2007) presents a four-fold scheme of educational corruption comprising corrupted educational functions, corrupted supplies, professional misconduct, and corrupted educational property and taxes as they relate to the activities of politicians, bureaucrats, institutional managers, and teachers as well as their impact on access, quality and equity in education. Educational functions open to corruption include the selection of candidates into higher education institutions and the accreditation system of higher education institutions. The corruption of educational functions entails inequality in educational opportunities and the absence of quality control over entrance examinations. The selection system is corrupt when it is

> [U]nfair, inefficient, and of low quality. It is unfair because examinations have to be taken where they are designed; those who cannot travel easily have less opportunity[…] It is inefficient because students must take a new examination for each institution to which they apply, […] It is of low quality because questions are often designed by elderly faculty members who are isolated from modern changes in labour markets (Stephen P. Heyneman, 2004, p. 639).

According to Heyneman, the centralization of entrance examinations does not in itself eliminate the opportunity for corruption as "tests that are centrally scored can still be leaked" (Stephen P. Heyneman, 2004, p. 639) as so often happens across the globe. This claim is borne out by the series of leakages occurring in examinations conducted in Nigeria by the West African Examinations Council, the National Examinations Commission, and Joint Matriculations and Admissions Board. Heyneman's (Stephen P. Heyneman, 2004, 2007) schematic leaves out a very important segment of higher education governance - student union governments, which in such countries as Nigeria issue licenses to businesses operating on their campuses.

Hallak and Poisson's (2007) schematic attempts to account for governance levels at which corruption may occur, level of education at which it occurs, actors involved and the nature of exchanges. They identify four governance or decision-making levels in the education sector and hold that corruption can occur at any of these levels: the central ministry of education, the regional/district level of education authority, the school level, and the classroom level. Corruption may assume different forms and magnitude at each of the levels of occurrence depending on the amount of discretion and resources an official controls. They point out that

> fraud in the recruitment of teachers is more likely to happen at ministerial level whereas payment of bribes in order to obtain a good mark is more likely to be observed at the classroom level (Hallak & Poisson, 2007, p. 60).

Level of education refers to the traditional division of education as schooling into primary education, secondary education, and higher education as well as the differentiation of education service provision and the nature of the educational process in terms of whether it is formal or informal. Corruption takes different forms at each of these levels of education. Using fraudulent methods to obtain a diploma or degree is more likely at the higher education level while private tutoring is more closely associated with primary education. The actors in corruption in the education sector include contractors, administrators, staff, faculty, non-teaching staff and students. The actors operate at different levels. Thus contractors are involved as suppliers of services or goods and therefore are more likely to operate at the ministerial and regional/district levels than at the classroom level. On the other hand, teachers are largely limited to the classroom level. Although education corruption may be student driven, students are only victims

and do not derive any benefit from their participation. Table 2.4 summarizes Hallak and Poisson's depiction of corruption in education.

Table 4.4: Corruption in education: levels of occurrence, actors involved and nature of exchanges

Level of occurrence	Level of education	Actors involved	Nature of exchange
Ministry of Education	Primary education	Private supplier-administrator	Administrator-driven
Region-district level	Secondary Education	School staff-administrator	Faculty-driven
School level	Higher education	Student-Administrator	Non-teaching staff-driven
Classroom level	Distinction: public /private education	Student-faculty exchange	Student-driven
	Distinction: formal /non-formal education	Student-non-teaching staff exchange	Locating agents with monopolistic powers
			Identifying 'win-win/win/win-lose situation

Source: Hallak and Poisson (2007, p. 59)

It is noteworthy that all the above classifications ignore the role of students in the higher education corruption nexus. Rumyantseva (2005) attempts to fill this gap by distinguishing between "education-specific corruption" - educational corruption with student involvement which directly affects students' values, beliefs and life chances and "administrative corruption" - educational corruption with no student involvement which effects on students' values, beliefs and life chances are mediated by the university's financial resources and its effectiveness in their allocation (Rumyantseva, 2005, p. 87). Education-specific corruption comprises academic corruption and corruption in services. Both categories involve students as agents. She assumes that corruption requires a hierarchical structure to operate and limits her study to only reciprocal aspects of corruption involving students on the one hand and staff, faculty, and administrators on the other. Her study therefore limits students' participation to the payment of bribes. She neglects

111

student-student exchanges in both academic corruption and corruption in services.

These classifications of educational corruption overlap in various ways, and apart from Rumyantseva (2005), deal with the education sector generally. But more critically, they fail to fully describe the corruptive roles students play.

4.9 Educational corruption and development

The relationship between education, corruption and development is unclear (Shaw, 2007). However, there is no doubt about the centrality of education to development both in the literature and in policy circles. Thus education is conceived as a change agent in Nigeria's national development plans as well as the country's national policy on education. Also not in doubt is that educational corruption entails the loss of quality in educational products. This results in reduced returns on investment in education and the expenditure of additional funds by employers to make up for the loss in quality. As Heyneman (2007, p. 5) argues,

> Where corruption is high, the economic rates of return to education investments may be reduced by as much as 70% and lifetime earnings of individuals might be reduced by as much as 50%. Where corruption in higher education approaches 50% (where over 50% of the students report having had experience with illegal payments), employers cannot trust what graduates will know and be able to do. Employers in Central Asia, for instance, attempt to hire new employees from universities known for a lack of corruption (foreign universities)

Rose-Ackerman (2008, p. 332) holds a similar view that

> Highly corrupt countries tend to under-invest in human capital by spending less on education, to over-invest in public infrastructure relative to private investment, and to have lower levels of environmental quality

4.10 Structures of educational corruption

Different authors have emphasized structures. Structures of corruption refer to opportunities for corrupt conduct as well as institutional roles and rules which may give rise to corrupt behaviour.

Writing about corruption in customs administration, Hors describes opportunity for corruption as "those defects in the customs administration that have contributed to creating opportunities for corruption" (cited in Hallak & Poisson, 2002, p. 16). According to Hors (2001, p. 15), "each step of the customs chain can present an opportunity for a corrupt act". It is such opportunities that are here referred to as structures of corruption. (But to suggest that opportunities for corruption are defects in administration is to beg the question of human choice between a right and a wrong action). In the education sector, there are many such opportunities.

Osipian (2007b) refers to structures of corruption as spheres of corruption. Spheres of corruption are "access to higher education, academic process, graduation, credentials, licensing and accreditation, faculty hiring and promotion, research, grants, medical services" (Osipian, 2007b, pp. 9-10). Osipian distinguishes between spheres of corruption and interactions that produce corruption. According to him, the interactions comprise of "state-university, business-university, faculty-students, faculty-administration, students-administration, and state-students relations" (Osipian, 2007b, p. 10). For us, both the spheres and interactions provide opportunities for corruption and therefore together constitute structures of corruption.

Hallak and Poisson (Hallak & Poisson, 2007; 2002, p. 20) have a broader conception of structures than Osipian (2007b). The structures of corruption include the construction of school buildings; recruitment, promotion, and appointment of teachers; teacher conduct; supply and distribution of equipment, textbooks, and food; compensatory measures, fellowships, and subsidies to the private sector; and examinations and diplomas (Hallak & Poisson, 2007, pp. 63-64). Table 2.5 shows ten major areas of educational planning and management which provide opportunities for corruption and the forms of corrupt exchanges or transactions that take place in each area according to Hallak and Poisson (2007). The column titled areas of planning/management constitute the structures of corruption. The column titled "major opportunities for corrupt practices" by Hallak and Poisson actually refer to patterns of corruption rather than structures because they describe conducts or behaviours. For example, embezzlement is a conduct, so also is rule transgression.

Table 4.5: Major opportunities for corruption by area of educational planning /management

s/ no	Areas of planning/ management	Major opportunities for corrupt practices
1	Finance	Transgressing rules and procedures / bypass of criteria, Inflation of costs and activities, Embezzlement
2	Allocation of specific allowances (fellowships, subsidies, etc.)	Favouritism / nepotism; Bribes; Bypass of criteria; Discrimination (political, social, ethnic)
3	Construction, maintenance and school repairs	Fraud in public tendering (payoffs, gifts, favouritism); Collusion among suppliers; Embezzlement; Manipulating data; Bypass of school mapping; Ghost deliveries
4	Distribution of equipment, furniture and materials (including transport, boarding, textbooks, canteens and school meals)	Fraud in public tendering ;(payoffs, gifts, favouritism); Collusion among suppliers; Siphoning of school supplies; Purchase of unnecessary equipment; Manipulating data; Bypass of allocation criteria; Ghost deliveries
5	Writing of textbooks	Fraud in the selection of authors (favouritism, bribes, gifts); Bypass of copyright law; Students forced to purchase materials copyrighted by instructors
6	Teacher appointment, management (transfer, promotion), payment and training	Fraud in the appointment and deployment of teachers (favouritism, bribes, gifts); Discrimination (political, social, ethnic); Falsification of credentials/use of fake diplomas; Bypass of criteria; Pay delay, sometimes with unauthorized deductions
7	Teacher behaviour (professional misconduct)	Ghost teachers; Absenteeism; Illegal fees (for school entrance, exams, assessment, private tutoring, etc.); Favouritism/nepotism/acceptance of gifts; Discrimination (political, social, ethnic); Private tutoring (including use of schools for private purpose); Sexual harassment or exploitation; Bribes or favours during inspector visits
8	Information systems	Manipulating data; Selecting/suppressing information; Irregularity in producing and publishing information; Payment for information that should be provided free
9	Examinations and diplomas Access to universities	Selling information; Examination fraud (impersonation, cheating, favouritism, gifts);Bribes (for high marks, grades, selection to specialized programmes, diplomas, admission to universities);Diploma mills and false credentials; Fraudulent research, plagiarism
10	Institution accreditation	Fraud in the accreditation process (favouritism, bribes, gifts)

Source: Hallak & Poisson (2007, p. 63)

The structures of corruption determine to a large extent who can participate in corruption and how. For example, low level administrative officers in academic administration can perpetrate corruption in examinations and academic records essentially by exacting bribes in cash or kind; they may refrain from enforcing rules, thereby perverting the educational process by falsification of results of students. However such low level officials in academic units are not in a position to embezzle funds or award contracts. Put differently,

> The opportunity for corruption is a function of the size of the rents under a public official's control, the discretion that official has in allocating those rents, and the accountability that official faces for his or her decisions (World Bank, 1997, p. 12).

So conceptualized, students may not have opportunities for corruption. However, the ninth category of opportunities identified by Hallak and Poisson (2007), examinations and diplomas, may and do entail students as drivers. Thus cheating behaviour occurs in the contexts of examinations with a view to impacting the quality of pass and hence, diplomas (Adebayo, 2011; O. E. Alutu & Alutu, 2003; Bernardi et al., 2004; Bertram Gallant & Drinan, 2006; Brandão & Teixeira, 2005; Bunn et al., 1992; Donald L. McCabe, Butterfield, & Treviño, 2006; Olasehinde-Williams et al., 2003). But even as drivers of corruption in examinations, diplomas, and access to universities, students remain victims of their own and other peoples corrupt practices.

4.11 Patterns of educational corruption

Patterns of corruption refer to the various manifestations of corruption and include examination malpractices, sale of public property for private gain, fraud, extortion, cultism, and so on. They depict behaviour or conduct that are considered corrupt (Osipian, 2007b). The most pronounced and prevalent form of corruption involving students is examination malpractice (Uzoigwe, 2007).

This study makes a seminal point that the patterns of corruption are sometimes a pointer to the structures of corruption in institutional settings. The laws, rules, and regulations governing

behaviours in higher education institutions determine the pattern of corruption by proscribing certain conducts and classifying them as corrupt. For example, when laws governing examinations are infringed, the conduct is defined as examination malpractice; but the specific form this assumes will depend on who initiated the examination malpractice and the expectation. Where students offer money or other material inducement to their lecturers after an examination to influence their grades, the conduct is referred to as sorting, a form of bribery. Where the inducement is offered to obtain the question paper before an examination, corruption manifests as sale of question paper or paper leakage. Where lecturers demand gratification from students in order to pass such students we have a case of extortion.

4.12 Conceptualization of "unwholesome" student behaviour

According to Mouton (1996, p. 109),

> Conceptualization refers to both the clarification and the analysis of the key concepts in a study and also the way in which one's research is integrated into the body of existing theory and research.

Most of the literature in the preceding sections relate to foreign countries. Higher education student corruption has been studied only in very limited aspects in the Nigerian environment. Basically, it has been studied as examination malpractices, cultism, sexual harassment, and generally as social vice. In other words, the phenomenon under investigat5ion has been conceptualized as social vices which manifest as examination malpractice, secret cult membership, sexual harassment, moral decadence, and etcetera. This section reviews some published articles on conceptualizations and the extent to which they can or cannot be said to be contributing to the development of a coherent understanding of corrupt practices among students.

The concept of corruption is not ordinarily used in the study of higher education student conduct in Nigeria. Student conduct is not framed in corruption concepts; rather, a number of different concepts are used to designate different aspects of student conduct which this study regards as corruption. The practice of not framing student behaviour in corruption concepts is not peculiar

116

to literature coming out of Nigeria. Donald Mccabe, one of the most prolific scholars on cheating among students, hardly uses the word corruption in the description of the conduct of students. The International Institute of Education Planning, the UNESCO agency that has drawn the most attention to corruption in the education sector, does not generally regard students or learners as corruptors of the educational process; perhaps, because of its conceptualization of corruption as a public sector, public office problem. As it was argued in Section 2.2.7, most writers on corruption in education, including higher education, view students as victims of others' corrupt practices.

The concepts in which HESC are framed may therefore be regarded as themes of student misconduct and are so regarded in this research. For example, a 2006 paper by Okwu titled *"A Critique of Students' Vices and the Effect on Quality of Graduates of Nigerian Tertiary Institutions"* (Okwu, 2006) contains neither corruption nor corrupt, not even as an externality to students' vices. According to Okwu (2006), the more common vices include "cultism, drug abuse, examination malpractice, obscene dressing, and sexual promiscuity/harassment". As shall be shown later in Chapter 5, the conducts and activities which Okwu uses to define corruption are among the phenomena students also regard as corruption. Another very recent article, titled "*Academic Corruption and the Challenge of Unemployable Graduates in Nigeria…*", did not even bother to conceptual "academic corruption", only declaring that "what we have chosen to call academic corruption is often sub-summed (sic) under bureaucratic corruption" ((Ademola, Simeon, & Kayode, 2012, p. 3). If academic corruption is simply an aspect of bureaucratic corruption, students cannot be central to its discourse.

Cheating behaviour, examination malpractice, cultism, and sexual harassment are the most commonly researched forms of higher education student corruption in Nigeria. Olasehinde-Williams, Abdullah and Owolabi (2003) investigated the contribution of student's personal characteristics to the prevalence of cheating behaviour among students. Among the personal characteristics which affect cheating were studied were gender, course of study, and academic achievement (GPA). The study found high incidences of cheating among the students. It also found that cheating behaviour was highest among students of educational management, a finding

similar to McCabe (2007) in which Business students cheated the most. The study also found there to exist a relationship between gender and cheating behaviour (male students cheated more at 92.4%) and between academic achievement and cheating behaviour (low achievers are more likely to cheat than high achievers). A very important finding, from our viewpoint, is the variance between attitude to cheating expressed by the students and their actual behaviour when given an opportunity to cheat. According to Olasehinde-Williams, Abdullah and Owolabi (2003:10)

> [T]he rate of cheating observed in this study was inconsistent with the students' expressed attitude to cheating in their responses to the attitude to cheating questionnaire. Almost all the students reported disapproval of cheating.

Oredein (2004) studied HESC as examination malpractice and identified ten forms or 'dimensions' of examination malpractice. The dimensions are 'bringing of foreign materials into examination hall'; 'assistance from educational stakeholders'; 'irregular activities inside and outside the examination halls'; 'impersonation'; 'insult or assault on examination officials'; 'electronically assisted malpractices'; 'collusion'; 'mass cheating'; 'inscription'; 'personality connection'. She framed examination malpractice a moral problem, stressing that laws governing examination malpractice are not implemented because of "low moral standards" and that consequently examination malpractices are on the increase (Oredein, 2004). The dangers of examination malpractice include inability to defend certificates, guilt feelings, aborted dreams and visions especially where culprits get expelled from their institutions, discrediting educational credentials, frustration of national goals of technological advancement.

Given the high level of cheating among students, especially in examinations, the conceptualization of cheating as a vice creates a problem for any effort or programme of action aimed at its eradication. This is because the conception of cheating as a vice reduces it to a moral or ethical problem, which eradication or amelioration requires moral regeneration among those involved in it and the administrators of higher education institutions. Such moral regeneration will ordinarily entail the focusing of attention on the individual and the relegation of the roles of

structures in the perpetration of cheating and other related misconduct. However, there is a wide gap between rhetoric and practice with regard to cheating among students (Olasehinde-Williams et al., 2003) which suggests that attitude re-orientation without structural transformation and institution capacity building may not achieve the desired result of arresting this form of misconduct.

Another drawback of examination malpractice as a moral problem is its long neglect in the analysis of higher education policy (Ofoegbu, 2009). The conceptualization of examination malpractice as a moral issue places the onus of its occurrence on the wider society and the individual perpetrator does not bear the brunt of his/her misdemeanor. According to Ofoegbu

> whenever examination malpractice is discussed it is generally regarded as a mere deviation from some presumed 'normal' state of affairs. It is portrayed as the rule rather than the exception, the fault of the miscreant teacher or the lazy student or even the immoral administrator rather than the product of a decadent society. More often than not it is the student who is caught and punished while others who may be part of those perpetuating the crime are hardly accosted and punished (Ofoegbu, 2009, p. 414)

Corruption has also been conceptualized as cultism among students. This is another dimension of the conceptualization of corruption among students as a social problem. Cultism is derived from the word 'cult' which has been defined as

> any religious group which differs significantly in one or more respects as to belief or practice from those religious groups which are regarded as the normative expressions of religion in our total culture (Braden, 1949, p. xii).

It can be seen from Braden's definition of cult that cultism is a form of religion. Cults have also been taken to refer to

> a cohesive social group devoted to beliefs and practice that the surrounding population considers to be outside the mainstream or that which runs counter to generally accepted norms and values (Okunola & Oke, 2013, p. 552).

Okunola and Oke argue that cults may have a positive or negative connotation depending on what separates them from their environment with which they tend to have a "high degree of tension[…]combined with novel religious beliefs" (2013, p. 552). However, in the context of higher education institutions in Nigeria, cults have come to take on only negative connotations. Though now a common phenomenon on the campuses of higher education institutions in the country, cults are still regarded as an aberration, an unhealthy and harmful deviation from expected standards of conduct among students. Cultism is seen as a social vice, a manifestation of indiscipline in our institutions. This perception of cultism is the product of the proliferation of cults and their descent into violence and criminality. They are also outlawed and membership in them criminalized.

The 1999 Nigerian Constitution refers to cults as secret societies and defines a secret society in the following terms.

> "Secret society" includes any society, association, group or body of persons (whether registered or not) (a) that uses secret signs, oaths, rites or symbols and which is formed to promote a cause, the purpose or part of the purpose of which is to foster the interest of its members and to aid one another under any circumstances without due regard to merit, fair play or justice to the detriment of the legitimate interest of those who are not members; (b) the membership of which is incompatible with the function or dignity of any public office under this Constitution and whose members are sworn to observe oaths of secrecy; or (c) the activities of which are not known to the public at large, the names of whose members are kept secret and whose meetings and other activities are held in secret;

The constitution thus criminalizes cultism. However, many scholars such as Smah (2011), Rotimi (2005), and Popoola and Alao (2006) regard secret cult membership or cultism as a social vice or social problem which signals moral decay in the universities, polytechnics, and colleges of education. Smah views cultism as both a consequence and a cause of moral decay in the higher education sector when he argued that

The emergence of secret cult subcultures more importantly creates an enabling environment for the perpetration of moral evil as adaptive mechanisms or strategies in the face of increasing decline in the national spirit. In other words, the emergence of cult sub-cultures is a response to the decay in the quality of higher education in Nigeria over the past two decades. This is a form of coping strategy by youth to the societal decay and apprehension in the national objective of self-reliance drive (Smah, 2011, pp. 6-7).

In a similar vein, Rotimi (2005) argued that cultism is a product of the prevailing social climate on the campuses of higher education institutions.

Generally the social atmosphere prevailing in the Nigerian universities provides an inspiring environment for secret cults to thrive. These may include, lack of virile student unionism, erosion of the traditional academic culture, absence of intellectual debates and all other activities that are components of traditional campus culture (Rotimi, 2005, p. 82).

Secret cult activities are quite rampart in Nigerian universities, polytechnics, and colleges of education. Generally, they operate illegally and are a law unto themselves. Their activities directly and indirectly impact the quality of education as they not only create an atmosphere of fear which negates teaching and learning but they also intimidate lecturers to award their members pass grades in examinations (Kilani, 2008; Popoola & Alao, 2006; Rotimi, 2005). In addition to examination malpractice (which is the most commonly researched form of higher education student corruption) and cultism, sexual harassment and drug abuse are also conceptualized as unwholesome behaviour or as social vices. This conceptualization creates problems for their mitigation as the main anti-corruption instrument, law, is either improperly applied to them or completely set aside. The interconnectedness of these various from of corruption is also often not addressed as they are treated in isolation from each other. Students' interpretation of these phenomena will be dealt with in Chapter Five.

4.13 Chapter summary

This chapter reviewed the literature on corruption on a thematic basis. The introduction showed that the idea and phenomenon of corruption has existed through much of human history and attempted to elucidate the meaning of corruption. The introduction also highlighted that educational corruption is also an age long phenomenon which has not enjoyed much scholarly engagement. The chapter then attempted an analysis of the problem of definition; highlighting the main perspectives in the debate, namely, public office, public opinion, and public interest perspectives. It also showed that despite the long engagement scholars have had with the phenomenon, there is still little settled about it. The definitional debate continues, problems of measurement remain and not much has been achieved in the development of a general theory of corruption that is able to account for corruption as both Kurer (2005) and Brown (2006) observed. The concept itself remains not only contested but also fragmented.

Moreover, the chapter examined the concept of educational corruption, showing that where the concept 'corruption' is applied, students are generally treated as victims rather than agents. It attributed this to the dominance of the public office perspective in research on corruption in higher education. It demonstrated that while much literature exists on corruption in the education sector, these have made little contribution to the development of knowledge on the phenomenon. The chapter also examined the relationship between corruption and development and between higher education and corruption. It also extracted from the literature, the major types of educational corruption that have been mapped. Two short sections examined the concepts of 'patterns' and 'structures' of corruption, pointing out that there exists in the literature a tendency to confuse or conflate patterns with structures. Finally, section 2.2.12 surveyed the literature on higher education student corruption coming out of Nigeria. It pointed out that corruption among students is generally described as unwholesome behaviour but is hardly described as corruption. Various other concepts are applied to denote various aspects of the composite phenomenon this research describes as corruption. The next chapter (Chapter Five) presents a discussion and an analysis of the Nigerian higher education system, highlighting those elements that are of immediate relevance to corruption among students.

Chapter Five: The Nigerian Higher Education System

5.0 Introduction

The Nigerian higher education system is very dynamic and in a somewhat fluid state as it is undergoing on-going reforms and transformation.   In a broad sense, the higher education system comprises all formal and informal institutions and structures which provide higher level training but this chapter concerns itself only with those institutions and structures which provide formal western style education. This chapter captures the evolutionary character of the higher education system of the country by analysing the constitutional and legal frameworks as well as the changing context of higher education. The chapter also examines the structure of higher education and its relationship with the other levels of education in the country. The third major subject of this chapter pertains to higher education policy, including the political and administrative structures that make and implement policy in the higher education sector. Finally, the chapter also discusses administration and management of higher education institutions.

The higher education system of Nigeria did not begin in a systematic and well planned manner rather, it emerged and developed in response to the exigencies of the times. The first higher education institutions were monotechnics established by some departments of the colonial administration to provide sub-professional and vocational training to meet the needs of the colonial government. These included Central Agricultural Research Station, Moor Plantation, Ibadan; the Institute for Agricultural Research, Samaru; and the Veterinary Research Institute, Vom.

There are myriad challenges confronting Nigerian higher education system. With respect to the university subsystem, a former Federal Minister of Education, Dr Sam Egwu (Egwu, 2009) noted the following:

- inadequate and obsolete infrastructure and equipment, poor library facilities
- inadequate funding of the University System
- inadequate quality control

- outdated legal framework
- illegal institutions
- weak support structure for Students Industrial Work Experience Scheme (SIWES)
- the brain drain, human capital flight
- divided interests by academics (moonlighting)
- staff shortage across board
- high incidence of cultism, examination malpractice and other social academic vices
- unstable academic calendar
- existing Curriculum is outdated and not relevant to national needs and therefore not globally competitive
- absence of Benchmark Minimum Academic Standards for postgraduate programmes in the NUS except for MBA programme
- low capacity of Curriculum developers and implementers
- shortage of ICT skills and personnel
- weak ICT backbone
- poor and expensive bandwidth provision
- obsolete ICT infrastructure and services
- poor management of funds
- low fund generation by institutions

These features are symptomatic of the entire higher education system of the country. Therefore, governments at the different levels have focused attention on finding solutions to them through various reform and policy frameworks.

This chapter sets out a largely descriptive account of the Nigerian higher education system. An attempt is made to establish the constitutional and legal framework of the sector and the lack of capacity of the existing institutions to meet the educational needs of the country.

5.1 The Constitutional and Legal Framework

The constitution provides the legal mainframe of higher education as education generally. It also sets the tone and tenor of the politics of higher education. During the colonial era, various ordinances and education laws or codes provided legal guidelines for the development and administration of education (Fabunmi, 2005). According to Fabunmi (2005, p. 2), the colonial

ordinances and education codes "served as the basis for the modern day educational policies, education laws and techniques of educational administration in Nigeria". A key ordinance for the future growth and direction of education in the country was the education ordinance of 1926 which provided for the registration of teachers as a pre-condition for teaching in the schools of Southern Nigeria; banned "the opening of schools without the approval of the Director of Education and the Board of Education"; authorized "the closure of any school which was conducted in a way that was in conflict with the interest of the people of the host community"; expanded the role of the colonial government in educational supervision; and prescribed minimum pay for teachers (Fabunmi, 2005, p. 3). This Ordinance can be taken to have instituted the process of quality assurance and control in the educational system of the country. Another important colonial legislation on education was the 1948 Education Ordinance which decentralized the administration of education in the country (Imam, 2012, p. 184). The 1948 Education Ordinance is the precursor to the current status of education as a concurrent legislative subject in the sense of bringing the educational systems in the various parts of the country under one legislative umbrella. Under the auspices of this Ordinance, the three regions created under the Richards Constitution of 1946, pursued separate and varied educational policies and programmes. However, the Richards Constitution was a unitary constitution and the regions did not enjoy any autonomy in the real sense of the word. Indeed, the division of the country into three administrative regions in 1939 was for ease of administrative convenience especially in light of the outbreak of World War Two and the difficulty of maintaining effective control over such an expansive territory as Nigeria given the level of development of communication and transportation facilities.

5.1.1 The Constitution

The Constitution of the Federal Republic of Nigeria is the supreme law of the country. This constitution is rigid, and federal – characteristics that have important implications for the operations of higher education institutions. Constitutions refer to "the basic design of the structure and powers of the government and the rights and duties of its citizens" (Kapur, 1996, p. 485). Constitutions establish and define the organs of government, their powers, functions and

interrelationships as well as the relation between the government and the citizens. According to Edeko (2011b, p. 137),

> the constitution is a framework of rules which defines the functions, composition and the relationship between the organs of government, and the rights and duties of the governed with descriptive location, conferment, exercise, distribution and limitation of political power among the instruments of the state.

The Constitution of the Federal Republic of Nigeria binds every person, institution, and process and whatever laws or processes that are not founded on it, or which are inconsistent with it, are rendered invalid, void, and of no effect. It established the federation over which it has the force of law[31]. The Constitutions of 1979 and 1999 also assert the supremacy of the Constitution.

> The Constitution of any country is the embodiment of what the people desires to be their guiding light in governance, their supreme law, the groundnorm (sic) of all their laws. All actions of the government in Nigeria are governed by the Constitution and it is the Constitution as the organic law of a country that declares in a formal, emphatic and binding principles the rights, liberties, powers and responsibilities of the people both the governed and the government (" I.G.P. v. A.N.P.P. (2007) 18 NWLR (Pt. 1066) 457 at 495 - 496, paras. F - A (CA)," 2007).

During periods of military dictatorship when the constitution extant is suspended or abrogated, it is usually replaced by a decree which has the force of organic law. Nigeria has experimented with different systems of government but has retained the practice of operating a federal, written, and rigid constitution. In all, Nigeria has had four constitutions since independence. These are the Independence Constitution of 1960, the Republican Constitution of 1963, and the

---

[31] The Constitution established the Federation in S (2) and declares its supremacy in S (1) where it provides as follows: "This Constitution shall have the force of law throughout Nigeria and, subject to the provisions of section 4 of this Constitution, if any other law is (including the constitution of a Region) is inconsistent with this Constitution, this Constitution shall prevail and the other law shall, to the extent of the inconsistency, be void". These provisions are contained in both the Constitution of the Federation of Nigeria 1960 and the Constitution of the Federal Republic of Nigeria 1963.

constitutions of 1979 and 1999. Under the constitutions of 1960 and 1963, Nigeria practiced cabinet or parliamentary system of government modelled after Britain's Westminster system. However, after 13 years of military rule, on return to civilian rule in 1979, the country adopted a presidential system of government fashioned after that of the United States but arising logically from the single executive that military dictatorship engenders. The 1999 constitution retained the presidential system of government. The provisions of interest in all these constitutions are those relating to education especially higher education and incidental thereto. The more important incidental provisions include those on the fundamental human right to fair hearing and the supremacy of the constitution.

Education became a constitutional subject in Nigeria under the McPherson Constitution of 1951. This constitution introduced a quasi-federal constitutional arrangement. The close connexion between political and constitutional developments in Nigeria partly explains the character of Nigerian higher education in particular, and education generally. This connexion underpins the somewhat unplanned development of higher education and the policy reversals the system has experienced. In particular, regime type has seriously impacted higher education. The militarization of the culture of higher education institutions has resulted in authoritarian and autocratic leadership styles which characterize both the management and student leaderships of most higher education institutions. Prolonged military rule militarized civil institutions including universities (Ekong, 2002).

5.1.2 The Constitutions of 1960 and 1963

The Independence Constitution of 1960 was authored by Britain with the participation of Nigerian politicians and bequeathed to the country at independence while the Republican Constitution of 1963, though an adaptation of the former, was authored by Nigerians as the preamble declares: "We the people of Nigeria, by our representatives here in Parliament assembled, do hereby declare, enact and give to ourselves the following Constitution" (Federal Republic of Nigeria, 1963). The key difference between the Constitutions of 1960 and 1963 relates to the severance of formal linkages to the British Monarch as the Head of State of Nigeria with respect to sovereignty as well as to the Privy Council of the House of Lords in judicial

matters. Nevertheless, with respect to higher education, the two constitutions had identical provisions; they also both placed higher education in the concurrent legislative list. Institutions directly under the control of the Federal Government were listed in Part I of the Third Schedule to the Constitution of 1963. Higher education was defined in terms of institutions offering higher education as both the listing in Part I and the provision in Part II suggest –

> Higher education, that is to say, institutions and other bodies offering courses or conducting examinations of a university, technological or a professional character, other than the institutions listed in Item 17 of Part I of this Schedule.

The institutions listed in Item 17 of Part I of the 1963 Republican Constitution were the University of Ibadan and the University College Teaching Hospital at Ibadan; the University of Lagos and the Lagos University Teaching Hospital; the West African Institute of Social and Economic Research, the Pharmacy School at Yaba, the Forestry School at Ibadan and the Veterinary School at Vom. These institutions were listed in the Exclusive Legislative List and were therefore under the exclusive jurisdiction of the Federal Government. It is important to note that these higher education institutions predated Independent Nigeria except for the University of Lagos and its teaching hospital which were established in 1962, two years after independence.

An immediate outcome of placing higher education in the concurrent legislative list was the establishment of regional universities by the governments of the regions outside the framework of the recommendations of the Panel set up by the Federal Government under the chairmanship of Sir Eric Ashby. The Ashby Commission[32] had recommended the establishment of two new universities in addition to the University College at Ibadan and the University of Nigeria at Nsukka. The new universities were proposed to be located in the Northern Region and the Federal Territory at Lagos under the control of the governments of the Northern Region and the Federation respectively. By this arrangement, the Western Region was alone in not having a

---

[32] The Commission on Post-School Certificate and Higher Education in Nigeria was appointed by the Federal Minister of Education in 1959 "to conduct an investigation into Nigeria's needs in the field of post-School Certificate and Higher Education over the next twenty years" (Federal Ministry of Education, 1960)

university under its control; it therefore felt a need to establish one of its own as recommended by Dr. Sanya Onabamiro, a member of the Ashby Commission from Western Nigeria. According to Okafor (1971, p. 129) Dr. Onabamiro's suggestion was intended "to give the Western Region control over one university, in the same way that the other two Regions were to do." This early struggle or competition among the Regions and later States, which have continued to this day, to have and to control their own higher education institutions, lends credence to our characterisation of higher education as a political rather than a public good.

5.1.3 The 1979 and 1999 Constitutions of the Federal Republic of Nigeria

These constitutions established presidential constitutionalism in Nigeria in contradistinction to the parliamentary system that operated under the constitutions of 1960 and 1963. Besides the introduction of the presidential system of government, the number of states making up the country had increased from four Regions in 1963 to 19 in 1979. Under the 1979 Constitution of the Federal Republic of Nigeria, higher education remained a concurrent legislative subject. Thus, Item 27 of the Second Schedule to the Constitution empowered the National Assembly "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". This power included "the power to establish an institution for the purposes of university, post-primary, technological or professional education". Similarly, Item 28 of the same Second Schedule provides that "a House of Assembly shall have power to make laws for the State with respect to the establishment of an institution for the purpose of university, technological or professional education". However, the Federal Government now had the exclusive jurisdiction of ensuring conformance to the pursuit of the fundamental educational objectives and standard setting (Section 18 and Sch. 2, Part 1, Item 57 a & e). Section 18 of the Constitution provided that

> 18. – (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 provide –

(a) free, compulsory and universal primary education;
(b) free secondary education;
(c) free university education; and
(d) free adult literacy

The above constitutional provisions notwithstanding, the Federal Government continues to deny the right of Nigerians to free education, hinging its position on the qualifier "as and when practicable" without making the necessary efforts to attain that practicability.   With the emergence of private universities which do not receive Government subsidy and charge fees that are therefore not subject to regulation, coupled with the incessant strikes in public higher educations, the realisation of this right continues to recede.   The recession of the right to education is partly the result of underfunding of higher education. For example, at the core of the strikes by lecturers in higher education institutions is the issue of funding (Federal Ministry of Education, 2012c, p. 1). Thus, among the key concessions the Academic Staff Union of Universities (ASUU) elicited before ending its prolonged strike was a yearly funding of universities to the tune of N200 billion for three-four years from 2013 (Sahara Reporters, 2013).[33]   The denial of the right to education by the Federal Government notwithstanding, the provision that "Government shall direct its policy towards ensuring equal and adequate educational opportunities" constitutes a standard for determining the existence of abuse of power and other corrupt practices at the institutional level.

Item 57 of the Second Schedule to the Constitution in turn provided for "the establishment and regulation of authorities for the Federation or any part thereof" by the National Assembly. Such regulatory powers included: Item 57 (a) "to promote and enforce the observance of the fundamental objectives and directive principles contained in this Constitution"; and Item 57 (e) "to prescribe minimum standards of education at all levels". The provisions under the Constitution of the Federal Republic of Nigeria, 1999 are identical except for item numbers.

---

[33] This amount varies depending on the source. The MOU of 2012 speaks of N400 billion per year for 2013, 2014, & 2015 (Federal Ministry of Education, 2012c).

An important innovative provision of the 1979 Constitution, which was retained in the 1999 Constitution, is the inclusion in Chapter Two of "Fundamental Objectives and Directive Principles of State Policy" to guide the conduct of government and government officials. While Chapter Two provisions are "non-justiciable"[34], the political leadership at the various levels of government has felt bound to conform to them for reasons of political expediency. Section 18 of the Constitution referred to above is a Chapter Two provision. Section 13, which is the preface to the Fundamental Objectives and Directive Principles of State Policy, provides that

> It shall be the duty and responsibility of all organs of government, and of all authorities and persons, exercising legislative, executive or judicial powers, to conform to, observe and apply the provisions of this Chapter of this Constitution.

Section 14 makes provisions in subsections 3 and 4 on the composition of the agencies and institutions of government and governance. Thus, with respect to the Federal Government, Section 14(3) declares

> The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the *federal character* of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that Government or in any of its agencies.

Section 14(4) makes an identical provision with respect to the two lower levels of government.

> The composition of the Government of a State, a local government council, or any of the agencies of such Government or council, and the conduct of the affairs of the Government or council or such agencies shall be carried out in such manner as to recognise the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the people of the Federation.

---

[34] The non-justiciability of Chapter Two provisions with regard to educational objectives contained in the 1979 and 1999 Constitutions has since been put to rest by the ruling of the ECOWAS Community Court of Justice in *SERAP vs Federal Republic of Nigeria and Universal Basic Education Commission* ECW/CCJ/APP/08/08 in which the Court ruled that the Nigerian child has an enforceable right to education. It should be noted however that the Court did not base its decision solely on the Constitution but also on international treaties to which Nigeria is a signatory.

This provision has important implications for the demographics of students and staff as well as the management of higher education institutions. Its authors intended it as an instrument for creating a sense of belonging among the diverse ethnic groups that make up the country but with regard to higher education, it has become a source of disenchantment among sections of the population that became discriminated against in terms of access to admission placements as well as recruitment of personnel and management of higher education institutions and the consequent proliferation of higher education institutions on the basis of politics rather than policy. It is the basis of the policy on access that is based on catchment area and quota, the siting of higher education institutions, staffing, and the appointment of senior management and councils of universities, polytechnics and colleges of education. It also informs the establishment of Federal universities in all the states of the Federation, including those states that lack capacity to provide students for such universities.

It is also the source of what Obanya (2011) refers to as "bad politics" that characterises much of educational policy in Nigeria. According to Obanya (2011, p. 1) "bad politics refers to the type of divisive politicking that is concerned only with the acquisition and maintenance of power." He argues that there are ten "decisive factors that work in concert to produce the outcomes of the process" (Obanya, 2011, p. 2) of education. The factors and their nature in the context of bad and good politics as enunciated by Obanya are shown in Table 3.1 below. These work together to "produce desirable outcomes of children passing through school and the school also passing through them as a result of the effective learning that must have taken place" in the context of "good politics" (Obanya, 2011, p. 2). Good politics "refers to effective leadership for public good" (Obanya, 2011, p. 1). However, in the context of bad politics,

> the development of educational policies and programmes are most likely to be less responsive and participatory. Consequently, the ten decisive factors would most likely not fall in place, leading to the less desirable outcomes of 'children merely passing through school' due to the absence of 'effective learning'(Obanya, 2011, p. 2).

132

Table 5.1: Decisive Education Factors in Contexts of 'Good' and Bad' Politics

Decisive Factors in Education	Bad Politics Context	Good Politics Context
Policy development methodology	Haphazard	Participatory
Policy thrusts	No clear directions	Responsive to national development thrusts
Plan for educational development	Non-existent/exists as mere piece of paper	Derived from policy thrust, with strategic focus areas
Management	Over-centralized. Hierarchical	Decentralized, with de-concentration of authority
Human resources	Management: not professionalized/ over-bloated bureaucracy Teaching: not professionalised/ inadequate (quantitatively)	Management: professionalized/constant and systematic re-skilling and re-tooling
Funding	Non-sustainable Wastage and corruption-prone	Sustainable Targeted funding. Functional mechanism for expenditure tracking
Curricula	Inappropriate Non-responsive Out-dated Imposed from above	Appropriate Responsive Relevant Internalized and readily operated at school level. Dynamic, with participatory approaches to evaluation and constant review
Physical facilities	Inappropriate Inadequate Little or no maintenance	Appropriate Adequate Culture of maintenance firmly upheld
Pedagogical facilities	Scarce Inappropriate Out-dated No bearing with curricula	Adequate Appropriate Up-to-date Closely related to curricula
Teaching-learning Methods	Frontal teaching Teacher-centred Memorisation/regurgitation	Activity-based Flexible classroom arrangements Learner-centred Participatory
Outcomes	Children merely passing through school Absence of effective learning	Children passing through school AND the school passing through them Effective learning

Source: Obanya (2011, p. 2)

The Constitution, the *grundnorm* of higher education in Nigeria, may be regarded as having been stable over the years. However, the Constitution only provides the broad and general framework for the establishment and operation of higher education and higher education institutions in the country as well as who has what authority or role in the educational structures and processes of the country. There is no clear-cut division of labour among the various tiers of government with regard to education. The observation of Orbach (2004) on the constitutional provision on basic education is also true of the higher education system.

> The Nigerian constitution does not articulate fully the division of labour among the three tiers of government in the education sector …. It assigns a few functions clearly and exclusively to the federal government or the states, but treats most functions as a responsibility shared concurrently by the federal, state and local governments. It does not define the role of each, but allows each to define its own role.
>
> Other than assigning the formulation of national policy and standards to the federal government, and the running of primary education system to the states, the constitution does not divide the labour among the three tiers of government. Most functions are defined by it as concurrent, meaning that each can, but does not have to, get involved in them (Orbach, 2004 p. 9)

Much undefined powers are left in the hands of the government of the day. In particular, the Federal Government has come to assume the position of de facto *primus inter pares* or first among equals in the higher education sector by virtue of the wage regime in the higher education sector. This wide discretion coupled with the long years of military dictatorship, has led to much violent policy instability including policy reversals with regard to higher education since the country became independent in 1960. Education policy generally, and higher education policy in particular, has witnessed much policy changes, inconsistencies and contradictions. However, there have been attempts to frame the various changes in a national policy on education first formulated in 1977. In other words, besides the constitutional provisions which set the legal parameters of the Nigerian educational system, there is also a National Policy on Education which provides guidelines for educational practices in the country.

134

5.1.4 The National Policy on Education

The National Policy on Education has undergone several revisions since it was first introduced in 1977. It was revised in 1981, 1998, 2004, and 2007 to capture changes and developments in the local and global political economy of the country and the place of education as a change conveyor and change agent. For example, the revision of the National Policy on Education in 2007 was premised on the need to

> (a) situate the education sector within the overall context of governments' reform agenda enunciated in the National Economic Empowerment and Development Strategy (NEEDS);
>
> (b) reposition the Nigerian education sector to effectively meet the challenges of the EFA initiative, MDGs and NEEDS;
>
> (c) improve and refocus education quality and service delivery for the accelerated attainment of NEEDS goals of social and economic transformation, wealth creation, poverty reduction, employment generation and value reorientation;
>
> (d) reflect, accommodate and respond to the UBE Programme, the provisions of the UBE Act and the implications for the education sector;
>
> (e) achieve public ownership of the National Policy on Education and improve compliance to its provisions through consensus – building in its development and strengthened implementation monitoring; and
>
> (f) reflect the National Vision of attaining global economic relevance by 2020, National Framework on Education and the 10-Year Strategic Education Sector Plan (Federal Republic of Nigeria, 2007, p. 4).

The revisions also aim to expand the sources of inputs into the education sector policy formulation and decision making processes. Thus the 5th edition of the National Policy on Education was partly necessitated by the need for collective and wide consultations and "to ensure that the perspectives and inputs of the three tiers of government, development partners and all other stakeholders are, as much as possible, accommodated and infused" (Federal Republic of Nigeria, 2007, p. 5).

The National Policy on Education sets out Nigeria's

> philosophy of education, specifies the goals and objectives education should
> accomplish, defines the structure and strategies for its provision, sets
> guidelines and required standards for its delivery, management and for quality
> assurance… clarifies the responsibilities of the three tiers of government, their
> agencies and all other education stakeholders (Federal Republic of Nigeria,
> 2007).

The National Policy on Education is the framework the government has adopted to attain "that part of its national objectives that can be achieved using education as a tool" (Federal Republic of Nigeria, 1981). Those national goals as stated in the Second National Development Plan 1970-1974 are to make Nigeria

> (a) free and democratic society;
> (b) a just and egalitarian society;
> (c) united, strong and self-reliant nation;
> (d) a great and dynamic economy;
> (e) a land full of bright opportunities for all citizens.

It also articulates the "structures, strategies and guidelines for achieving the national education goals in Nigeria" (Federal Republic of Nigeria, 2007). The national education goals of the nation are the

> (a) development of the individual into a morally sound, patriotic and effective
>   citizen;
> (b) total integration of the individual into the immediate community, the
>   Nigerian society and the world;
> (c) provision of equal access to qualitative educational opportunities for all
>   citizens at all levels of education, within and outside the formal school
>   system;
> (d) inculcation of national consciousness, values and national unity; and
> (e) development of appropriate skills, mental, physical and social abilities and
>   competencies to empower the individual to live in and contribute
>   positively to the society (Federal Republic of Nigeria, 2007).

In addition to the constitution and the national policy on education, the legislatures at the national and state levels also make laws to regulate the operations of higher education institutions. The National Assembly is responsible for making laws for the establishment, control, and management of Federal Government owned universities, polytechnics, monotechnics, colleges of education, and interuniversity centres as well as regulatory agencies for higher education and professional bodies. Each Federal Government owned higher education institution is established by a specific enactment of the National Assembly. At the state level, the houses of assembly make laws for the establishment and operation of higher education institutions within the framework of the constitution and national policies on higher education. All higher education institutions are thus legal creations.

The constitution divides policy making powers over higher education between two levels of government, the state and national governments. At each of these levels the policy making power is vested in ministries, regulatory agencies and higher education institutions. The implication of the constitutional distribution of policy making authority between the Federal Government and the governments of the component states is diversity in several key areas of higher education policy and practice. Again, an observation in respect of basic education is true of higher education as well. For example:

> The various functional areas suffer from lack of leadership and direction. They have no integrated approach – no coherent conceptual framework, policy or strategy…policy analysis and research, receive insufficient attention…construction and maintenance of schools, the management of human resources and school supervision, receive a lot. In these areas there is considerable functional duplication and waste. All organizations in all tiers of government are involved in them – each doing something. However, this is done with little coordination and much bureaucracy (Orbach, 2004 p. 9)

The above problems become exacerbated when there are pronounced political differences between the Federal Government and State governments or personality clashes between officials at the two levels.

5.2 The organizational structure of the higher education system in Nigeria

The Nigerian Higher Education System is a subset of the education system of the country which has undergone fundamental changes since its inception in 1934 with the establishment of Yaba Higher College. The country's education system was based on the 6-3-3-4 structure until recently. The figures denote the duration of each level of formal education or schooling in years – six years of primary education, three years of junior secondary education, three years of senior secondary education, and four years of higher education leading to the award of a bachelor's degree. At the base of this hierarchical structure is early childhood education in which government's role used to be limited to setting standards with regard to teacher quality, physical space, infrastructural and recreational facilities, safety and environment, as well as providing curriculum guidelines for instruction. The bulk of early childhood education is provided by the private sector; the government being only indirectly involved through some of its departments and agencies. Enrolment age for early childhood education commences earlier than two years in day-cares. In many early childhood centres academic learning begins as early as age three such that some children enter primary school at age four, two years earlier than the official entry age. All this is likely to change very soon as early childhood education has now been formally incorporated into the structure of education in the country. The National Council on Education at its 59th annual meeting in Abuja on 24th – 28th June, 2013, directed that the 36 states and the Federal Capital Territory establish 1-Year Pre-Primary Education Centres with adequate facilities in every primary school, thereby incorporation pre-primary education into the formal education system (Okezie, 2013).

Formal education begins with primary education which officially commences at age six. Primary education constitutes the bottom rung of the formal education structure and has a duration of six years. It includes nomadic education targeted at itinerant or migrant herdsmen and fishermen. However, as stated earlier, primary education begins before age six for most children in the private school system. Also, children in private schools generally move on to junior secondary schools from primary five, with some doing so as early as primary four. This has serious implications for higher succeeding levels as children proceed to higher levels academically

prepared but not quite mentally mature. Though there is strong private sector participation in the provision of primary education, the government remains a dominant player. The first school leaving certificate, the qualification issued on successful completion of primary education, is based on a government set examination. Thus primary schools do not issue their own qualifications but prepare learners for public examinations set and regulated by state ministries of education. Secondary education is divided into junior secondary and senior secondary and comprises the 3-3 in the 6-3-3-4 structure. Both junior and senior secondary have durations of three years.

The education system of the country is divided into six functional components or subsets. These are "early childhood care and education; non-formal education; primary education; secondary education; teacher education, demand and supply; technical and vocational education; and higher education" (FME, 2005, Nigeria Education Sector Diagnosis). Non-formal education; teacher education, demand and supply; and technical and vocational education refer to both the structure and content of the curriculum and do not therefore constitute levels of education. On the other hand early childhood care and education, primary education, secondary education, and higher education describe hierarchical levels, each level requiring a specified number of years for completion. Over the years teacher education has been provided through specialized five-year post primary school teacher training colleges producing grade two teachers; grade two teachers were also produced by teacher training colleges running two year professional training for school certificate holders, colleges of education and universities.

In the policy framework, these various components are interrelated and interdependent. In practical terms however, they are disarticulated and disjointed and, therefore cannot be said to constitute a system as a set of interrelated and interdependent elements. The disarticulation of the educational system may not be unconnected with the lack of integrity in the demographic data system of the country. The country's national education policy expects each lower level to serve as a feeder to the next higher level. However, this is possible only where there is integrity in the population data generally and education statistics in particular. Such data integrity is largely lacking in Nigeria. The National Population Commission acknowledged this fact when it

observed in the *Nigeria DHS EdData Survey 2004 Education Data for Decision-making* that "education statistics from official sources in Nigeria were difficult to come by" (National Population Commission [Nigeria] & Macro, 2004). Gwang-Chol Chang (2007, p. 3) has also noted "the lack of accurate school-based statistics in Nigeria". In Nigeria, population census data are invariably contested and disputed. This has been the situation since the colonial era. The last population census conducted in 2006 was actually rejected by some of the state governments including that of Lagos State (Yin, 2007). The 1962 census was one of the contributory factors to the collapse of the coalition Federal Government and the animosity that characterized the post-independence elections (Post & Vickers, 1973). The consequence is that plans are not based on generally accepted facts as the title of an early book on Nigeria's economic development depicts.[35] Instead, they are based on population estimates and ethno-political considerations.

5.3. The Size of the Nigerian Higher Education System

The size of the Nigerian higher education system can be determined in terms of students' enrolment, number of institutions, and types of institutions. Size of the higher education system may also be captured by the number of programmes on offer at the various universities, polytechnics, and colleges of education. A relative measure would be the enrolment ratio of the relevant age cohort. Student enrolment, number, and type of institutions will all be used as indicators of size in this study but only passing reference will be made to the number and diversity of programmes offered.

5.3.1 Student enrolment and staff strength.

The number of students enrolled in higher education institutions is an indication of the carrying and access capacity of the higher education system of a country. It is thus a measure of the size of the higher education system. There is paucity of reliable and up-to-date data on students' enrolment in higher education institutions in Nigeria due to poor record keeping and political

---

[35] W. F. Stolper (1966). *Planning without Facts: Lessons in Resource Allocation from Nigeria's Development.* Cambridge, MA: Harvard University Press.

corruption. But available statistics suggest a growing capacity in terms of absolute numbers enrolled. Thus at independence in 1960 the Nigerian higher education system was able to absorb less than 4000[36] students (J. Okpako Enaohwo, 1985). For example, only 3681 students were enrolled in Nigerian universities in the 1962/63 session (J. Okpako Enaohwo, 1985, p. 310). But total tertiary student enrolment has risen to exceed 1.4 million by 2003 with the universities accounting for an estimated 700,000 students (Nigeria Vision 2020, 2009). By 2006 university enrolment alone had risen to 1,131,312 while those of polytechnics and colleges of education stood at 360,535 and 354,387 respectively (Federal Ministry of Education, 2009, p. 52).

However, less than 5% of the age cohort for any given year secure places in higher education institutions and less than 15% of candidates qualified and seeking admission into higher education institutions secure placement. For the universities in particular, demand always far outstrips supply despite the increase in enrolment. Thus, between 2000 and 2005, the highest percentage of applicants admitted into Nigerian universities was 14.55 per cent of 841,878 (Aderinoye, 2008, p. 6). The country's tertiary enrolment ratio in the period 2001-2009 was 10.1 (UNDP 2011, HDR: 194). The "extremely low carrying capacity' of the Nigerian higher system has been attributed to 'inadequate infrastructural provisions" (Federal Ministry of Education, 2012a, p. 22). The pressure on universities is compounded by the lack of interests in "alternative routes to higher education" on the part of prospective students (Federal Ministry of Education, 2012a, p. 22). Despite the much higher probability of securing admission into a polytechnic or a college of education as Table 3.2 shows, students still prefer the universities. For example, in 2001, the chance of securing a place in a university was about 12 per cent while that of getting into a polytechnic or a college of education was 26 per cent and 87 per cent respectively. The year 2009 recorded the best chance a candidate had of securing university admission at about 18 per cent but even in that year the chance of securing a place in a polytechnic was 22 per cent while the probability of getting admission into a college of education was over 70 per cent. It is also noteworthy that in each of the nine years captured in the table, over 77 per cent of

---

[36] This figure is for universities as there are no data for polytechnics, monotechnics, and colleges of education enrolment.

candidates seeking tertiary education sought places in the universities notwithstanding the lower chance of getting admitted.

Table 5.2 Applications and admissions into the Universities, Monotechnics, Polytechnics and Colleges

Acad Year	Universities			Monotechnics/Polytechnics			Colleges of education		
	Applied	Admitted	%	Applied	Admitted	%	Applied	Admitted	%
2001	893,259	106,304	11.9	181,450	47,305	26.1	14,338	12,415	86.6
2002	1,028,988	129,525	12.6	193,863	47,518	24.5	21,678	13,815	63.7
2003	117,2313	175,358	14.9	232,490	43,903	18.9	23,169	9,197	39.7
2004	104,3361	108,148	10.4	220,852	17,311	7.8	23,611	5,490	23.7
2005	926,133	125,673	13.1	149,707	28,686	19.2	17,382	10,408	59.9
2006	1,030,670	107,161	10.4	148,769	19,587	13.2	14,562	7,284	50.0
2007	893,259	149,033	16.7	135,237	25,604	18.9	26,794	12,355	46.1
2008	1,028,988	183,420	17.8	247,398	55,841	22.6	59,817	41,358	69.1
2009	1,185,574	211,991	17.9	258,153	56,597	21.9	84,346	59,650	70.7

Source: Ojerinde (2010, p. 2)

The failure to explore alternative routes to higher education is not unconnected to the compensation system in the formal sector, both public and private, which discriminates against non-university graduates. "The preference for universities has been largely attributed to the compensation system in the public service which accords higher rewards to university degrees than other qualifications" (Ojo, 1990, p. 151).

The gap between the demand and supply of higher education, especially university education, is not due only to the low carrying capacity of the existing institutions. Other factors implicated in the matter include the geopolitical origin of candidates and their preference for particular institutions as well as the reluctance of higher education institutions to admit students who do not make them first choice institution in their applications through the JAMB. With regard to the origin of candidates by state, official statistics show uneven distribution. For example, in 2012, 1,503,931 candidates entered for the Unified Tertiary Matriculation Examinations (UTME). Out of this 513,325 candidates (or 34.14 per cent) were from six southern states – Imo, Delta, Anambra, Osun, Oyo, and Ogun while the six states with the lowest applications were all from

the North – Jigawa, Kebbi, Yobe, Sokoto, Zamfara, and the Federal Capital Territory; these accounted for 40,039 candidates or 2.76 per cent of applications in 2012.

Table 5.3: 10 Top Most Preferred Universities in Nigeria 2012

S/No	Institution	Owner	State	First Choice				Second Choice			
				1	2	3	Total	1	2	3	Total
1	UNILAG	FGN	Lagos	76155	334	47	76536	34304	303	49	34655
2	NAUSA	FGN	Anambra	71912	171	28	72111	32284	144	29	32457
3	UNIBEN	FGN	Edo	71375	125	14	71514	30191	99	12	30302
4	UNN	FGN	Enugu	70798	252	114	71164	32541	188	84	32813
5	UNILORIN	FGN	Kwara	66772	1301	141	68214	44577	1160	127	45864
6	OAU	FGN	Oyo	56170	630	83	56883	33945	545	89	34579
7	ABU	FGN	Kaduna	48685	2045	1087	51817	34645	2038	1073	37756
8	UNIPORT	FGN	Rivers	41431	266	39	41736	33194	233	34	33461
9	UNIUYO	FGN	Akwa Ibom	36060	1068	107	37235	23055	1103	117	24275
10	UI	FGN	Oyo	35443	334	92	35869	29544	331	84	29959
	TOTALS			574801	6526	1752	583079	328280	6144	1698	336121

Compiled by the Researcher
Legend: 1. Most Preferred. 2. More Preferred. 3. Preferred

The problem of the preference of candidates for particular institutions may not be unconnected to that of the state of origin of candidates. Public, especially Federal Government owned universities in or proximate to large candidate producing states tend to attract more candidates in the UTME. Table 5.4 shows the candidate producing capacity of the various sources of intakes for the Nigerian University System for the period 2008-2012. The top ten states in terms of producing candidates for the Nigerian higher education system are all in the southern part of the country: Imo, Anambra and Enugu in the South-East; Delta, Edo, and Akwa Ibom in the South-South; and Oyo, Osun, Ogun, and Ondo in the South-West. The bottom ten candidate producing states are all in the northern part of the country. The two largest candidate producing states in the northern part of the country are at the 12th and 13th positions and together produced fewer candidates than Imo State over the five year period. It is also significant that the top three northern states are all in the North-Central geopolitical zone in which the University of Ilorin is

located. The fourth largest candidate producing state in the north, Kaduna, houses the Ahmadu Bello University, Zaria.

Thus in 2012, the top 10 most preferred first choice universities are all owned by the Federal Government. They are also located in or close to large candidate producing states. Table 5.2 shows the top 10 universities and the states in which they are located. There were a total of 2,578,550 first and second candidates in 2012. Out of this number, the top 10 universities, all owned by the Federal Government, accounted for 919,200 candidates or 35.65 per cent; leaving the remaining 149 degree awarding institutions to share the rest. The University of Ilorin was the most popular university in 2012 going by the number of applicants who chose it either as a first choice or second choice institution. It recorded 114,078 applicants. It was the most preferred second choice institution but only the 5th most preferred first choice university.

Table 5.4: UTME Applications by State of Candidate 2008 - 2012

S/No	State	Years					Total: All Years
		2008	2009	2010	2011	2012	
1	Imo	107852	106439	115552	118633	129285	577761
2	Delta	79227	77591	91989	100079	96207	445093
3	Oyo	49797	168602	71856	74591	77244	442090
4	Anambra	79268	78853	87814	90909	83754	420598
5	Edo	67636	65463	74971	76281	73736	358087
6	Osun	55172	57724	76939	78813	78454	347102
7	Ogun	57275	60929	75968	74314	73299	341785
8	Enugu	54025	55836	66625	71869	74135	322490
9	Akwa Ibom	55838	56237	63487	70085	64675	310322
10	Ondo	52506	53450	65003	68197	64484	303640
11	Abia	53065	54136	58027	60413	60263	285904
12	Kogi	46428	45579	56531	66281	66306	281125
13	Benue	39912	42352	53425	64694	60035	260418
14	Rivers	43495	47020	48291	47856	47775	234437
15	Kwara	39650	32841	46027	53036	56774	228328
16	Ekiti	36386	37003	39180	40950	40363	193882
17	Kaduna	22442	23493	38308	45375	43779	173397
18	Lagos	27856	29593	35099	33775	30334	156657
19	Cross River	25945	27298	31344	37003	32343	153933
20	Ebonyi	21619	23138	26465	29129	31713	132064
21	Kano	17839	19095	30949	30634	28414	126931
22	Bayelsa	20592	21158	21369	24977	23488	111584
23	Nasarawa	16235	16190	20133	27547	31165	111270
24	Plateau	12588	12327	17348	27133	31043	100439
25	Katsina	9401	11306	19121	22545	21117	83490
26	Niger	11494	10521	15072	18938	20610	76635
27	Adamawa	12309	12090	13840	21599	16715	76553
28	Taraba	7644	7043	9872	15874	18650	59083
29	Bauchi	9163	9532	9562	13003	12966	54226
30	Gombe	7352	7525	11816	13341	14076	54110
31	Others	24778	2370	995	995	20416	49554
32	Borno	9165	8014	8345	13293	10577	49394
33	Jigawa	5064	9679	8953	12147	12485	48328
34	Kebbi	7301	6039	7156	8872	9991	39359
35	Sokoto	6391	7639	5560	7691	6571	33852
36	Yobe	4273	3406	5931	6570	6190	26370
37	Zamfara	5021	3878	4268	5838	6364	25369
38	FCT	1791	1747	2415	3134	3380	12467
	Total All States	1203795	1313136	1435606	1576414	1579176	7108127

Source: Compiled from JAMB Application Statistics, various years

The picture in 2013 is about the same; the main difference being the emergence of a state university, Imo State University among the top 10 and a slight decrease in the percentage the top 10 universities account for. In 2013, first and second choice candidates totalled 3,456,036 applying to 177 degree awarding institutions and the top 10 universities accounted for 1,185,988 candidates or 34.3 per cent of total applicants. In other words, 34.3 per cent of the candidates applied for spaces in 5.6 per cent of the institutions. Also, though Imo State University broke into the top ranks, this was as a result of the large number of candidates who made it their second choice institution. The University of Ilorin again attracted the highest number of applications overall and the second most preferred first choice university in Nigeria after the University of Lagos.

Table 5.5: 10 Top Universities in Nigeria in 2013

S/No	Institution	Owner	State	First Choice				Second Choice			
				1	2	3	Total	1	2	3	Total
1	UNIBEN	FGN	Edo	98363	237	21	98621	43691	273	32	43996
2	UNILORIN	FGN	Kwara	91983	2247	190	94420	61896	2125	169	64190
3	NAUA	FGN	Anambra	87508	247	30	87785	36153	225	29	36407
4	UNILAG	FGN	Lagos	85901	422	40	86363	38860	412	40	39312
5	UNN	FGN	Enugu	80263	264	65	80592	37516	244	55	37815
6	OAU	FGN	Oyo	68111	1,206	107	69,424	40,629	1,073	97	41,799
7	ABU	FGN	Kaduna	54707	2,672	1,850	59,229	40,393	2,597	1,847	44,837
8	IMSU	IMO	Imo	52980	208	33	53,221	71,020	200	36	71,256
9	UNIUYO	FGN	Akwa Ibom	49465	2287	230	51,982	31350	1,864	197	33,411
10	UI	FGN	Oyo	49319	599	85	50003	40602	634	89	41,325
	TOTAL			718600	10389	2651	731,640	442,110	9,647	2,591	454348

Compiled by researcher. Legend: 1- Most Preferred. 2 – More Preferred. 3 - Preferred

On the attitude of higher education institutions towards the admission of second choice candidates, Prof Ojerinde informs that "from our experience, universities refuse to take students who make them a second choice" (Vanguard, 2013). The immediate outcome of the argument of vice-chancellors that they do not run second rate universities is the restriction of candidates to choosing one institution in each of the categories of higher education institutions in the country. Prof Ojerinde, the Registrar of JAMB believes that this will resolve the admission crisis facing the country (Arenyeka, 2014). He, along with the Committee of Vice-Chancellors, hopes that the

new policy "will curb the admission crisis' because [o]ften, there are spaces in tertiary institutions other than universities, but everyone wants to go to the university" (Vanguard, 2013). While the admission crisis is partly the product of the preference for university education, it amounts to oversimplification to think that the new policy will resolve the crisis of access in the higher education sector.

Equally important is the reason particular institutions are preferred over others. Candidates' pattern of choice of institutions even within the same higher education sector suggests the following. Candidates and their parents are concerned about personal safety. According to Fapohunda (2014),

> Security is one of the major determinant (sic) for students in choosing their choice of institution during UTME registration. Students seeking admission into universities have opted for institutions located in safer places than troubled spots.

Other factors candidates take into account in the choice of institutions is stability in the academic calendar of the institutions. Institutions less strike prone attract more candidates than those that are usually hotbeds of strikes by lecturers and which therefore suffer from the syndrome of spill-over academic sessions. This factor may largely account for the attraction the University of Ilorin enjoys among candidates seeking admission into universities. But also very influential in determining the choice of institutions by candidates and their parents will be the distance of the institution from home and the financial circumstances of a family. As Adeyemi (2001) argues, candidates often fail to take up offers of admission because of unwillingness to travel long distances.

However, the unification of entrance examination into higher education institutions through UTME will do little regarding the access crisis candidates encounter in Nigeria. All UTME can do is to force candidates to consider polytechnics and colleges of education as alternative sources of higher education. Since universities still conduct post-UTME test, the universities themselves may become the centre of admission malpractices. For example, the post-UTME exams at the

University of Nigeria, Nsukka for 2012 was cancelled because of leakage of the examination papers (Edike, 2012). Experience also shows that many students who attend colleges of education use the qualifications they obtain to secure direct entry admission to the universities to study their preferred courses and do not make a career of teaching. Thus the polytechnics and colleges of education will only become stepping stones for university education unless something drastic is done to change the general perception about these types of institutions providing less desirable quality of education.

Consequent upon the low carrying capacity of Nigerian higher education institutions, though there is increased intake, the Nigerian higher education system remains small and inadequate in light of the higher education needs of the country. Many difficulties therefore confront those seeking admission into the tertiary institutions in the country, especially the universities. The difficulties "include payment of high UME and Post UME examinations screening fees, intake by quota system, and several other obstacles" (Aladeselu, 2010). The scarcity of placement for new entrants means increased competition over the available spaces among prospective candidates. It also makes candidates susceptible to exploitation and manipulation as well as to take recourse to malpractices on their part in admission processes. This could and does engender corruption in access to educational institutions as the high rate of examination malpractices in senior secondary school certificate and matriculation examinations indicate. Aladeselu (2010, pp. 19-20) made a similar observation that the lack of absorptive capacity has "resulted in restricted access to willing and qualified candidates, stiff competition for places and the attendant sharp practices including examination malpractice". Adding to the problem of lack of spaces is the non-transferability of results of entrance examinations from one year to another. This holds for both the university matriculation examination conducted by the Joint Admissions and Matriculation Board (JAMB) and the post university matriculation examination organized by individual institutions. For example, a candidate who passed the national university matriculation examination in 2012 but was unable to secure admission had to take the examination again the following year. Hence many students take entrance examinations more than once before securing admission into a tertiary institution. Neither the Government through JAMB nor the higher education institutions offer any explanation for this.

Table 5.6: Number of UME Attempts Before Admission

Type of HEI	Number of times JAMB UME/PCE was taken									Total
	1	2	3	4	5	6	7	8	No Response	
University	82	103	51	23	6	5	2	1	31	304
Polytechnic	30	11	3	0	1	1	1	0	30	77
College of Education	25	7	6	1	1	0	0	0	48	88
No Response	3	2	0	0	0	0	0	0	6	11
Total	140	123	60	24	8	6	3	1	115	480

Compiled from responses to Questionnaire Item

As Table 5.4 shows clearly, most university students took the university matriculation examination at least twice before gaining admission. Thus, out of the 304 university respondents, about 34 per cent secured admission on the second attempt while another 16.7 per cent did so on the third attempt. This creates frustration among admission seekers and encourages them to take desperate measures to get into a university, including what university managements describe as 'illegal admissions'.

Thus, the Enugu State University of Technology announced the expulsion and handing-over to the police of "544 students who allegedly secured admission into the university illegally" (Yusuf, 2012). Some of the students so expelled were in their final year. At another state university, Nasarawa State University, Keffi, an investigative panel discovered the existence of 80 illegal students according to the Daily Trust Newspaper (Daily Trust Reporter, 2012). The investigative panel found that the names of the students were added "on the admission lists sent to various departments in the university during the 2009 admission exercise" (Daily Trust Reporter, 2012). The decision of the University in this case was to disown the students and sack the officials who perpetrated the deal. There are no reports that the culprits were handed over to the police for prosecution. The affected students, who had already spent three sessions in the university at the time of their discovery, were also not reported to have been handed to the police for prosecution. Among the mechanisms for illegal admission of students to higher education institutions is the operation of fake websites. The Nasarawa State University was also a victim in this as a fake

website was used to admit 200 students (Daily Trust Reporter, 2012). However, the phenomenon of "illegal students" arising from illegal admissions is not limited to universities. At Auchi Polytechnic, 700 students were expelled for getting into the institution through dubious means (Adekoye, 2005). The institution in its statement announcing the expulsion of the illegal students, observed that illegal admissions have become "a recurring decimal in the nations (sic) higher institution (sic)" (Adekoye, 2005). A very worrisome aspect of the Auchi scandal is that all 700 illegal students entered the polytechnic in just one admission exercise.

A number of measures have been taken to address the problem of lack of absorptive capacity to accommodate all those qualified and seeking admission. One solution to the problem of inadequate access is sought in the licensing of private universities. As indicated in section 5.3.3.1 below, private universities comprise about 39 per cent of the total number of universities in the country. Coming on the scene only in 1999 after earlier efforts at establishing private universities were aborted by the Buhari-Idiagbon military regime contrary to a Supreme Court ruling on the right of individuals and organizations to establish universities, private universities have grown astronomically, at least in number.

The first attempt by an individual, Dr Basil Nnanna Ukaegbu, to establish a university, was in the late 1970s (Omuta, 2010). Dr Ukaegbu was the coordinator of TEDEM, the Technological and Economic Development Mission (N. Okafor, 2011). This effort became embroiled in litigation with the Imo State Government which took Dr Ukaegbu to court. The Imo State Government asked the court to declare the Imo Technical University, the university established by Dr Ukaegbu, illegal. This plea was granted by the High Court. Dr Ukaegbu appealed the judgment of the High Court to the Federal Court of Appeal which referred the matter to the Supreme Court because "substantial questions of law of constitutional importance were raised" by counsel on both sides in their argument (N. Okafor, 2011, p. 385). The Supreme Court ruled in favour of Dr Ukaegbu in 1983 (O. E. Anyanwu, 2006). The court held that section 36 (1) and 36 (2) of the Constitution of the Federal Republic of Nigeria 1979 "which grants every person freedom to impart and receive information" provides a basis for persons and organizations to

150

establish universities provided such universities are subject to laws lawfully enacted by the National Assembly (N. Okafor, 2011).

The litigation against Dr Ukaegbu reflects the position of Government on private higher education immediately after independence in 1960. According to Omuta (2010), though the White Paper on the Phelps-Stockes Commission of 1920 called for the encouragement of private participation in the provision of educational institutions, no tangible effort could be made especially with regard to university education mainly because of "government intolerance and rejection" on the one hand and lack of funds on the part of prospective proprietors on the other hand. The action of the Imo State Government against the establishment of Imo Technical University by a private organization when it was struggling to establish one itself can therefore be seen as part of a bigger picture of government opposition to the idea of private universities. Not only did government not "support or encourage the establishment of private higher education institutions", the "public policy climate could be said to be hostile" to the establishment of private universities in the period 1960-1975 (Obasi, 2008, p. 58). The Academic Staff Union of Universities was also opposed to the establishment of private universities, ostensibly because this will "damage the reputation already acquired" (cited by N. Okafor, 2011, p. 386). TEDEM and Dr. Ukaegbu won the legal battle but their victory was pyrrhic because a few years later the Federal Military Government abrogated all private universities by fiat through the *Private Universities (Abolition and Prohibition) Decree, 1984*.

Though short-lived, the immediate outcome of the victory of TEDEM and Dr. Ukaegbu was the establishment of about twenty-six private universities in six short months (O. E. Anyanwu, 2006). As can be seen from the Table 3.7 below, virtually all the universities were located in the southern part of the country with eleven in the South-East geopolitical zone and six each in the South-South and South West geopolitical zones. The North Central and North West geopolitical zones accounted for the remaining two institutions. Two of the institutions, both located in the South East, were said to have campuses all over the world and another one had various locations across the country. This first phase of the establishment of private universities has rightly been described as unplanned (Obasi, 2008; N. Okafor, 2011). According to Obasi (2008, p. 60), the

failure of the enterprise in this phase was due to the fact that the institutions "were poorly planned with neither good facilities conducive for teaching and learning, nor with serious academics involved in their management".

Table 5.7 Private Universities in the Pre-Regulation Era

S/No	Name of Institution	Location	State	GPZ
1	National College of Advanced Studies	Aba	Imo	SE
2	Theological Colleges, sponsored by the Christian Association of Nigeria (CAN);	apparently at various locations		
3	Afro-American University,	Orogun	Bendel	SS
4	Ekpoma University (not the precursor of Edo State University, Ekpoma)	Illeh, Ekpoma	Bendel	SS
5	Uzoma University	Ajowa, Akoko	Lagos	SW
6	Pope John Paul University	Aba	Imo	SE
7	Ogodogu University	Abuja	FCT	NC
8	University of Akokoa	Ideato	Imo	SE
9	University Courses College	Port Harcourt	Rivers	SS
10	Ajom Middle Belt University	Ibadan	Oyo	SW
11	Afendomifok University,	Ikot-Ekpene	Cross River	SS
12	World University	Owerri	Imo	SE
13	Institute of Open Cast Mining and Technology	Auchi	Bendel	SS
14	Imo Technical University	Imerienwe	Imo	SE
15	Akoko Christian University	Akungba-Akoko	Ondo	SW
16	Open University College	Kaduna	Kaduna	NW
17	Laity School of African Thought	Nembe	Rivers	SS
18	Feyon University	Ijebu-Ode	Ogun	SW
19	Epe Graduate Teachers University	Epe,	Lagos	SW
20	Ezena University	Owerri,	Imo	SE
21	Trinity University	Awo-Omamma,	Imo	SE
22	West African University	Nkwerre		SE
23	Nnamdi Azikiwe University (not the precursor of Nnamdi Azikiwe University, Awka, Anambra State,	Onitsha,	Anambra	SE
24	God's University (with campuses all over the world),	Umuezema Ojoto,	Anambra	SE
25	Technical University of Afa, (with campuses all over the world)	Afa,		SE
26	Islamic University of Nigeria,	Alabatan,	Ogun	SW

Source: Omuta (2010).

Given its initial hostility to the establishment of tertiary institutions by individuals and private organizations, how does one explain the change of attitude by government that has led to the blossoming of private universities to the extent of making up about 40 per cent of the universities in the country today? And to what extent has the licencing of private universities ameliorated the problem of access discussed earlier in this chapter?

Very important from the vantage point of meeting the demand for higher education is the vital change in the stance of government towards the establishment of private higher education institutions. This change came with the setting of national minimum standards for the establishment and running of higher education institutions and programmes. So, in contrast to the era of unregulated establishment of universities, Nigeria now has in place regulatory agencies for the various types of higher education offered in the country. These regulatory agencies are the National Universities Commission for universities and university education irrespective of the offering body; National Commission for Colleges of Education for colleges of education and teacher education at the NCE level; and the National Board for Technical Education for polytechnics and polytechnic education. We have seen how the pyrrhic victory of TEDEM and Dr. Ukaegbu led to the establishment of twenty-six universities in six months. However, though the rate of growth of private universities is still higher than government owned universities, the establishment of private universities since the introduction of minimum standards has been more measured and orderly. Thus, while it took six months to establish twenty-six universities in the pre-regulation era, the first five years in the regulation era only saw the establishment of nine universities. By the end of 2012, there were 51 private universities in Nigeria.

The large number of private universities notwithstanding, they are only able to ease access for those who can afford the generally very high fees that they charge which have "remarkably excluded the poor" (Aladeselu, 2010, p. 20). The absorptive capacity of the private universities is also very small. For example, in the 2006/2007 academic session, the largest private university in terms of student enrolment, the multiple campus Madonna University, Okija, had less than eight thousand students (Obasi, 2007, p. 50). The three highest total enrolment were recorded for Madonna University, Covenant University, Ota and Igbinedion University, Okada and these

institutions had 7,561, 6,617, and 5,235 students respectively (Obasi, 2007, pp. 49-50). In fact, the total enrolment in all the private universities in the 2006/2007 session was 37,765, constituting only 3.4 per cent of total student enrolment at the time (Okojie, 2008, p. 4). In other words, though accounting for about 40 per cent of the total number of universities, private universities account for only 3.4 per cent in intakes. However, according to Professor Okejie, the Executive Secretary of the NUC, "the future of higher education in [the] country will depend on the success of private universities"

By reason of the high fees they charge and their low carrying capacity, private universities have failed to solve the problem of admission crisis. Therefore the failure of the existing universities to absorb all those qualified and seeking admission remains and illegal universities continue to thrive. The problem of illegal universities remains serious and worrisome as students desperate for higher education but unable to find placement in recognized institutions still patronize them. For example, in October 2009, when NUC officials raided the illegal Olympic University at Nsukka, they met about 3,000 students (Vanguard, 2009). Figure 5.1 shows NUC officials addressing students on the occasion of the closure of Olympic University at Nsukka.
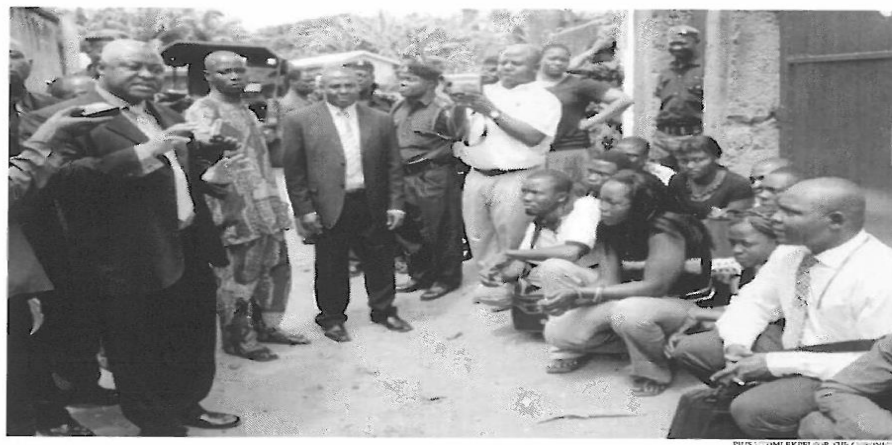
Michael Madukwe (left), an official of Nigeria's National Universities Commission, orders students to leave the unaccredited Olympic U., in Nsukka. The country is beset by a shortage of universities for the growing number of students who want to attend.

Figure 5.1: NUC Officials Address students at illegal Olympic University Nsukka
Source: The Chronicle of Higher Education, November 6, 2009, A24.

Another report in 2013 shows that in spite of enlightenment campaigns by the National University Commission, students still flock to illegal universities (Iwok et al., 2013). While some of these degree mills are located in remote areas far from seats of power, many of them operate from the Federal Capital, Abuja. Thus, Federal College of Complementary & Alternative Medicine and Concept College of London operate from Abuja (Iwok et al., 2013).

The second major plank in addressing the problem of inadequate places for students is the establishment of new state and Federal universities. For example, towards the end of 2010, the Federal Minister of Education, Prof. Ruqayyatu Ahmed Rufa'I, announced the creation of six new universities in the country. According to the minister, this had become necessary because of limited spaces in existing universities. She stated that "a total of 1, 305, 277 candidates applied for admission into universities nationwide last year [2009] out of which only 205, 170 or 16 per cent of them were admitted." The new Federal universities to be located in Nasarawa, Taraba, Jigawa, Ebonyi, Bayelsa and Ekiti states, were being established

> [S]o that as many of our suitably qualified citizens as possible can have access to university-level education and earn the higher qualifications necessary for their own self-development and the training of the high quality manpower needed for our national development and international competitiveness. (Olatunji, 2010).

Another measure that has been taken to address the problem of inadequate access is the diversification of the sources of university education. This entails licensing polytechnics and colleges of education to award degrees in affiliation with universities. The extant pattern of applications for admission into higher education institutions shows that while the universities are unable to offer places to all those desirous and qualified to have university education, the polytechnics and colleges of education are unable to fill their capacity because of poor motivation for the type of education and qualifications they offer. Therefore, to diversify the sources of university education, some polytechnics and colleges have been affiliated to universities for the purposes of awarding the degrees of such universities while others have been converted to universities. Thus, the Rivers State College of Education, Rumuolumeni in Port

Harcourt, which is one of the institutions selected for study, was upgraded to a University of Education during the course of this study. Before its final upgrading in 2010, it had been awarding the Bachelor of Education and Master of Education degrees of the University of Ibadan. The Tai Solarin College of Education had earlier been converted to a university of education in 2005. In the polytechnic sector, both Kaduna Polytechnic, Kaduna and Yaba Polytechnic, the first higher education institution in the country, have been mandated to award their own degrees but without a formal change of name. Altogether, there are 55 colleges of education, polytechnics, and theological institutions awarding degrees in affiliation with universities. Some Colleges of Education are affiliated to more than one university for the purpose of awarding the degrees of such universities. For example, Federal College of Education (Technical), Bichi is affiliated to the Abubakar Tafawa Balewa University, Bauchi for degree programmes in Technical Education and to the Ahmadu Bello University, Zaria for degree programmes in Science, Business, and Vocational Education (I. Jibril, 2012).

Table 5.8 Degree Awarding HEIs other than Universities

S/NO	NAMES OF INTITUTIONS	THEI	AFFILATED UNIVERSITIES
1	Federal College of Education, Kano	C	ABU, Zaria,
2	Federal College of Education, Zaria	C	ABU, Zaria,
3	Shehu Shagari College of Education, Sokoto	C	ABU, Zaria,
4	College of Education, Akwanga	C	ABU, Zaria,
5	Federal College of Education, Kontagora	C	ABU, Zaria,
6	Kwara State Coll of Edu, (Technical), Lafia,	C	ABU, Zaria,
7	Niger State College of Education, Minna	C	ABU, Zaria,
8	Federal College of Education, Katsina	C	BUK, Kano State.
9	College of Education, Warri	C	DELSU, Abraka
10	College of Education, Agbor	C	DELSU, Abraka
11	Federal Coll of Edu, (Technical), Potiskum	C	FUT, Minna,
12	College of Education, (Technical), Enugu	C	NAU, Awka
13	Adeyemi college of education, Ondo.	C	OAU, lle-lfe,
14	Adeniran Ogunsanya Coll.of Edu, Lagos	C	University of Ado-Ekiti

15	Emmanuel Alayande Coll of Edu, Oyo	C	University of Ado-Ekiti
16	Michael Otedola Coll of Primary Edu, Lagos	C	University of Ado-Ekiti
17	College of Education, Port- Harcourt.	C	University of Ibadan,
18	Osun State College of Education, llesa	C	University of Ibadan,
19	St. Augustine's Coll of Edu, Akoka, Lagos	C	University of Ibadan,
20	Federal College of Education, Pankshin	C	University of Jos,
21	College of Education, Azare	C	University of Maiduguri,
22	Federal Coll of Edu (Technical), Gombe	C	University of Maiduguri,
23	Umar Ibn Ibrahim EI-Kanemi College of Education, Science and Technology, Bama	C	University of Maiduguri,
24	Umar Suleiman College of Education, Gashua	C	University of Maiduguri,
25	Alvan Ikoku College of Education, Owerri	C	University of Nigeria,
26	College of Education, Ikere Ekiti	C	University of Nigeria,
27	College of Education, Nsugbe	C	University of Nigeria,
28	Osun State College of Education, lla-Orangun	C	University of Uyo,
29	Kaduna Polytechnic, Kaduna.	P	FUT., Minna
30	Archbishop Virgin College of Tech., Akure	P	University of Ibadan,
31	Immanuel College of Tech. and Christian Education , Samonda, Ibadan	P	University of Ibadan,
32	Yaba College of Tech., Yaba, Lagos	P	University of Nigeria,
33	Spiritan Int'l School of Tech., Attakwu, Enugu	P	University of Nigeria,
34	Claretain Institute of Philosophy, Nekede	TI	Evan University, Owerri
35	Seat of Wisdom Seminary, Owerri	TI	Evan University, Owerri
36	Pope John Major Seminary, Okpun, Awka	TI	NAU, Awka
37	Catholic Institution of West Africa, Port Harcourt	TI	University of Calabar,
38	Bigard Memorial Seminary, Enugu.	TI	University of Ibadan,
39	ECWA Theological Seminary, Igbaja	TI	University of Ibadan,
40	Dominican Institute, Samonda, Ibadan	TI	University of Ibadan,
41	Nigeria Baptist Theological Seminary, Ogbomosho	TI	University of Ibadan,
42	St. Peter and Paul Seminary Bodija, Ibadan	TI	University of Ibadan,
43	UMCA, llorin	TI	University of Ibadan,
44	West Africa Theological Seminary, Ipaja, Lagos	TI	University of Nigeria,
45	St-Paul's College , Awka	TI	University of Nigeria,
46	Spiritan School of Philosophy, Issienu, Nsukka,	TI	University of Nigeria,

47	Trinity Theological College, Umuahia,	TI	University of Nigeria,
48	Baptist College of Theology, Obinze, Owerri	TI	University of Port Harcourt
49	Methodist Theological Institute, Umuahia	TI	University of Port Harcourt
50	National Missionary Seminary of St-Paul, Gwagwalada	TI	University of Port Harcourt
51	The Apostolic Church Theological Seminary, Amumara	TI	University of Uyo,
52	Assemblies of God Divinity School, Old Umuahia	TI	University of Uyo,
53	The Samuel Bill Theological College, Abak	TI	University of Uyo,
54	St-Joseph Major Seminary , Ikot Ekpene	TI	University of Uyo,
55	Federal College of Education [Technical] Bichi	C	Abubakar Tafawa Balewa University Bauchi & Ahmadu Bello University, Zaria,

Source: JAMB Brochure 2012/2013 & Jibril (2012)

Legend: C – College of Education; P – Polytechnic; TI – Theological Institute
THEI – Type of higher education institution.

A fourth approach to the problem of inadequate places is open to only the elite – foreign higher education institutions. The political, bureaucratic and business elites send their wards overseas for university education. A Federal Minister of State for Education not only sent his daughter to study medicine in Ghana but felt no sense of wrongdoing about doing so. According to media reports

> uncertainties in the education system compelled him to send her…to neighbouring University of Ghana for tertiary education. … he said … other notable personalities desirous of quality education for their children send them to Ghana and other foreign universities for schooling (Anuku, 2010).

If ordinary citizens send their wards and children to attend higher education institutions abroad, this could be said to be within their rights. However, it is a different matter when serving Federal Government officials and ministers do so, especially ministers in charge of managing the educational system of the country. The availability of foreign education to their children may be

a factor in the neglect of universities, colleges, and polytechnics and the poor handling of strikes in the higher education system. The ASUU strike of July 2013-January 2014 is one such example of poor handling of a strike.

The recourse to foreign higher education institutions is a very serious problem because in some universities in neighbouring countries, Nigerians constitute a majority of the student population. Thus, according to Ikebeli (2012) 85 per cent of the students at the Houdegbe North American University, a private university at Cotonou in Benin Republic, are Nigerians.

The inadequacy of existing capacity is partly reflected in the existence of about 50 unlicensed universities operating in various parts of the country. As at 24 February 2014, there were 55 confirmed illegal universities and eight undergoing investigation.

The other measure of size is the academic staff strength of higher education institutions. The *Roadmap for the Nigerian Education Sector* (Federal Ministry of Education, 2009) reported academic staff shortages for all segments of the higher education sector. The higher education sector comprising universities, polytechnics, and colleges of education had total staff strength of 173,171 made up of 51,588 academic staff and 121,583 support staff by 2006. There is a shortfall of academic staff across the board. The universities suffer a academic staff shortfall of about 42 per cent while the other two subsectors have academic staff shortfalls of 57 per cent.

Table 5.9: Academic Staff Strength of HEIs in Nigeria

Type of Institution	Academic Staff (Required)	Academic Staff (actual)	Academic Staff (Shortfall)	Shortfall as % of Expected
Universities	46,942	27,394	19,548	41.6
Polytechnics	30,016	12,938	17,078	56.9
Colleges of Education	26,114	11,256	14,858	56.9
Totals	103,072	51,588	51,484	49.9

Source:

In addition to the large shortfall in academic staff, there is also the problem of the structure of the available staff. As Table 5.10 shows, in the years 2001- 2006, professors and senior lecturers made up less than 50 per cent of total teaching staff in federal universities, the best staffed public universities in the country. Rising to 48.9 per cent in 2005/06, the proportion of senior academic dropped back to 44% by the time the Committee on Needs Assessment of Nigerian Public Universities appointed by the Federal Government submitted its report in 2012 (Federal Republic of Nigeria, 2012a, p. 67). This is against the expectation that 75 % of lecturers should be senior academics. The Committee on Needs Assessment of Nigerian Public Universities also found that only about 43% of lecturers have a doctorate degree.

Table 5.10 Distribution of Academic Staff in Federal Universities by Rank

Year	Professor /Reader	Senior Lecturer	Lecturer 1 & Below	Total	a & b as % of d
01/2002	68	19	76	863	.27
02/2003	97	89	52	938	.43
03/2004	29	70	182	681	.41
04/2005	77	84	46	507	.76
05/2006	76	04	56	836	.88

Compiled by Researcher from …

5.3.2 Number of institutions

The number of higher education institutions grows by the day in Nigeria. As at November 8, 2010 there were one hundred and three (103) universities and proposals for six new ones to be established by the Federal Government while Yaba and Kaduna Polytechnics were in the process of being converted to universities. The 103 existing universities were distributed among the three different ownerships as follows: Federal Government – 27; State Governments – 35; and Private Organizations and individuals – 41 (NUC, 2010 – The Monday Bulletin, 27 December, 2010). In early 2013, the number of universities rose to 127 with the Federal Government's establishment of three new universities in states which previously had no Federal university. The new Federal

universities are to be located at Gashua in Yobe State, Birnin Kebbi in Kebbi State, and Gusau in Zamfara State (ABUBAKAR, 2013). According to the Federal Government, the establishment and siting of the new universities was "on the bases of equity and access, spread across the six geo-political zones" (National Universities Commission, 2013, p. 1).

In addition to the universities, there are 100 colleges of education and 78 polytechnics. There are also interuniversity centres, which bring together students in particular disciplines for more advanced practical training. These include the National Mathematical Centre, Abuja; the Nigeria French Language Village, Badagry; Nigeria Arabic Language Village, Ngala; and the National Institute of Nigerian Languages, Aba. One may also classify the Nigerian Law School, established in 1962 to give practical training to foreign trained lawyers wishing to become legal practitioners in Nigeria but which today also provides the same training for Nigerian trained lawyers as an interuniversity centre. Virtually all the regular higher education institutions, that is, the universities, colleges of education, and polytechnics are residential which means that availability of residential spaces also impacts on student intake.

5.3.3 Types of institutions

The Nigerian higher education system comprises four types of institutions. These are universities, polytechnics, colleges, and monotechnics. Within each category, there are subdivisions. Thus, universities may be divided into conventional, agricultural, or technological. In recent times, three additional categories of the specialized university have emerged: universities of education, military university and Police University. Ownership has also been used to classify higher education institutions into Federal, State, and Private universities, polytechnics, and colleges of education. Irrespective of ownership, the various categories of institutions require accreditation by Federal Government controlled regulatory agencies to operate. Thus, the NUC sets standards for and regulates the operations of the universities; NCCE does the same for the colleges of education; and the NBTE for the polytechnics and monotechnics. In addition, another Federal agency, the JAMB conducts entrance/matriculation examinations to the universities, colleges, and polytechnics and formally admits students to these categories of institutions.

The scope of this study does not cover private higher education institutions except in so far as these have become instrumental in absorbing some of the students for whom the public institutions have no place, and as objects of public policy in government's drive to use higher education to meet national development goals. For example, at independence the Nigerian Government had no room for the operation of private universities and was indeed opposed to their establishment; today (2014), private universities have become a major plank in Government's policy to expand the sources of higher education in the country. Monotechnics are also not included in the scope of this research for reasons advanced in Chapter 4. There, we indicate that monotechnics students are either already in employment in the relevant government agencies or would be absorbed on successful completion of their training, and hence could be expected to be subject to less pressure than students of other types of higher education institutions. We also argued then that monotechnics programmes are run in association with registered professional bodies of practitioners which regulate entry into the given profession and hence are subject to the ethical codes of such professional bodies.

5.3.3. I. The Nigerian University System

There are 128 licensed universities operating in Nigeria as at January 2013 (National Universities Commission, 2013, pp. 7-10). In addition, there are 50 degree mills or unlicensed universities which have either been closed down or are still operating as well as unapproved satellite campuses of licensed universities (National Universities Commission, 2013, pp. 12-13). The Nigerian University System is the largest subsystem of the higher education system as well as the apex of that system. The Nigerian University System is also the largest in Africa (O. E. Anyanwu, 2011, p. 178). The Nigerian University System comprises 104 conventional universities, 17 technological universities, three agriculture universities, two universities of education, one military university and one police university. Okojie (2008) refers to the universities of education and those engaged in the development of manpower and technology for specific natural resources as "specialized universities". The universities constitute the most important component of the higher education system, not only because of their size relative to the other components but also because of the purposes at which university education aims.

According to Daniel Inusa (2000)[37], "university education in Nigeria is offered to organize higher education towards meeting society's basic high-level manpower needs in various fields of human endeavour". Universities are the suppliers of the high-level manpower needs of the country. The enunciation and articulation of the purposes of university education has evolved over time from the period when there were no universities in Nigeria and those who wanted it could only obtain it outside the shores of the country to the era of the first generation universities, and to the present.

However, the government and the people had different perspectives on the purposes of university education. For the people the essence of university education was to be able to challenge the white supremacy colonialism sought to implant in the psyche of Nigerians and the socio-economic-political structures of the society. As Okeke (1986, p. 70) pointed out, "the first Nigerian who went abroad for university education did so in order to challenge the whiteman in political and economic activities"' and "it never really mattered then what was studied". In this regard, it is worth noting that the provision of university education in Nigeria (as in the other British colonies in West Africa) was intended to give Britain control over the type of education made available to the people. As Nwauwa (1993) has succinctly argued, the educational reforms Britain carried out in Tropical Africa between 1938 and 1945 were partly the result of imperial apprehension over the kind of radical education her colonial subjects were receiving in the United States and the threat this posed to the continuation of the British Empire. Therefore, when the colonial government began to articulate a purpose for university education, the focus would reflect imperial concern with deemphasizing radicalizing political ideas and emphasizing professional training. Therefore, in contrast to the people's purpose of acquiring university education in order to be able to challenge white colonial supremacy, colonial Nigeria intended university education to

> promote work and research in the field of African Studies, [and to] provide
> Professional qualifications in subjects such as accountancy, banking,

---

[37] Web page, hence no page number is indicated for this reference

secretaryship, insurance and transport through university courses in Commerce, as well as by professional training (Okeke, 1986, pp. 70-71)

Inusa summarizes the objectives of university education in Nigeria as follows:

a) to encourage the advancement of learning and offer all persons (irrespective of race, creed, sex, or political conviction) the opportunity of acquiring high-level education and professional training,

b) to provide relevant courses of instruction and other facilities to qualified persons for the pursuit of learning in all its theoretical and practical ramifications, to encourage conduct of research in all fields of learning and human endeavour,

c) to undertake any activities aimed at promoting the highest ideals of learning (Inusa, 2000).

Universities have the tasks of

i) training and educating men and women for various professions, vocations and high-level occupations,
ii) teaching citizens to be able to apply their knowledge acquired in schools to solving societal problems,
iii) providing training centres for the promotion of scholarship, research and public service (Inusa, 2000).

Universities are the pivot not just of higher education but also that around which the economic development and modernization of the nation was and is expected to revolve. This centrality of university education is reflected partly in the demand it generates and partly in the diversified proprietorship of universities.

The ownership structure of universities is skewed in favour of government owned institutions both in terms of number, and access and research capacity among other variables. Thus, the Federal and state governments own 78 of the 128 universities or 61 per cent of the universities

while private individuals and organizations account for the remaining 50 institutions or 39 per cent. The Federal Government remains the largest single owner of universities, accounting for 40 universities or 31 per cent. The distribution of universities by type of ownership is captured in Table 5.11

Table 5.11 Ownership structure of universities in Nigeria

Type of Ownership	Number owned	Percentage
Federal Government	40	31.2
State Governments	38	29.7
Private	50	39.1
Total	128	100

The pie chart below provides a clear picture of the distribution of ownership among the three types of owners or proprietors of universities in Nigeria. Private proprietorship is now the single largest type of ownership with 50 institutions.
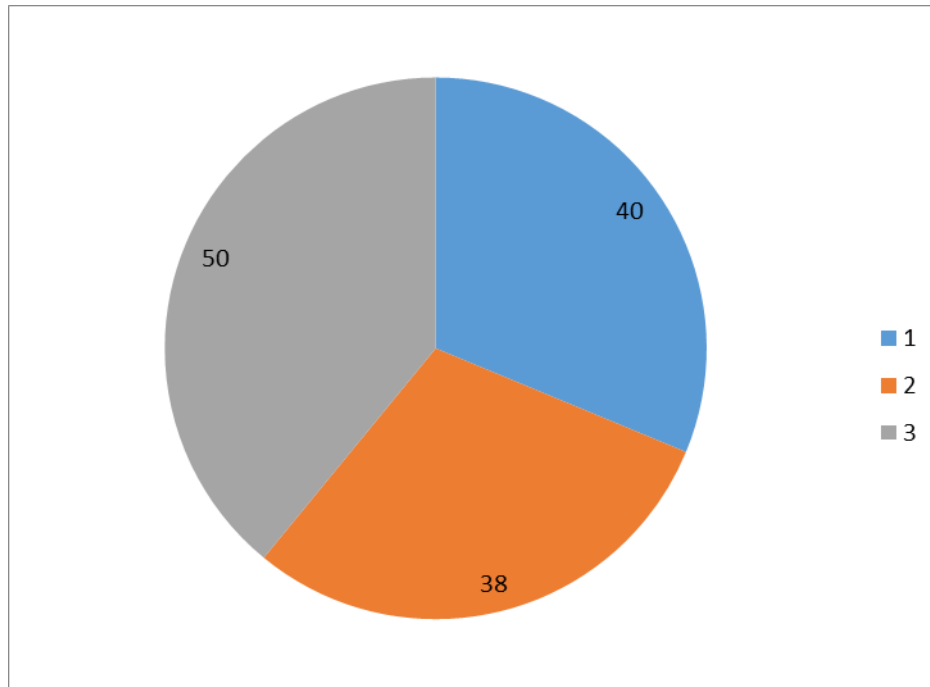
Figure 5.2: Pie Chart representation of ownership of universities in Nigeria[38]

A number of State governments also own more than one university. In this category are Kano, Ogun, Ondo, Oyo, and Rivers States which each has two universities. Conversely, there are three states, namely Borno, Jigawa, and Zamfara, which do not own a university.

With regard to access and research capacity, 55 universities are licensed to offer postgraduate qualifications (National Universities Commission, 2013, p. 11). Twenty-six of these or 47 per cent are Federal Government owned institutions and 20 or 36 per cent are owned by state governments. Thus between them, the Federal and State Governments account for over 83 per cent of universities offering postgraduate education and can be regarded as actively involved in research and development. In contrast, only nine private universities or 16.3 per cent are licensed to offer postgraduate education. This is captured in Figure 5.3. Additionally, all the

---

[38] Numbers in Chart represent number of institutions owned and not percentages.

technological universities engaged in postgraduate education are government owned; the private universities largely offer courses in humanities and management.
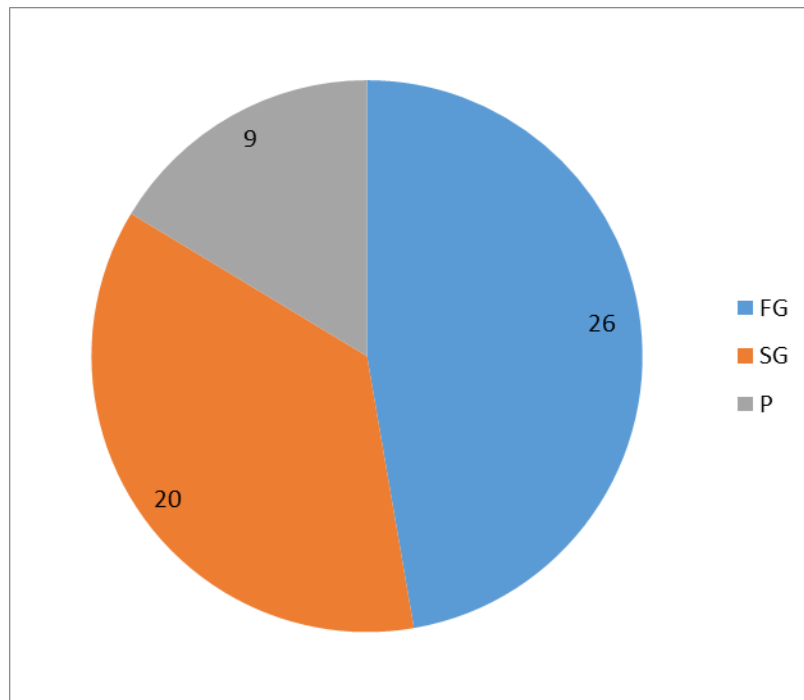
Figure 5.3: Number of universities offering postgraduate qualifications by ownership[39]

The laudable objectives and the huge investments in the universities notwithstanding, they are far from satisfying the need of Nigerians for university education. This failure derives partly from inadequate funding and poor management of resources and partly from the resultant incessant strikes that sometimes last for six months.

5.3.3.2 The Polytechnic System

The Polytechnic System is the oldest higher education sector in Nigeria with the oldest higher education institution (in the country) being Yaba Polytechnic, which was established in 1934.

---

[39] See footnote 38 above

But the emergence of polytechnics as tertiary institutions with distinct characteristics and goals can be traced back only to 1987 when the National Council on Education adopted the term 'Polytechnic' to refer to "all post-secondary technical education institutions offering two-year and four-year programmes leading to the award of National Diploma (ND) and Higher National Diploma (HND) respectively" (Yabani, 2006, p. 17). According to the National Policy on Education (1981), technical education is "that aspect of education which leads to the acquisition of practical and applied skills as well as the basic scientific knowledge" (Federal Republic of Nigeria, 1981, p. 28). The 1981 edition of the National Policy on Education also stated that technical education was provided in "pre-vocational and vocational schools at the post-primary level, the technical colleges, the polytechnics, and colleges of Technical Teacher education at post-secondary level" besides the universities (Federal Republic of Nigeria, 1981). Technical education and the institutions that provided them thus lacked a clear classification as tertiary learning. The aims of technical education enunciated in the National Policy on Education 1981 reinforce this view. The aims of technical education were:

(a) to provide trained manpower in applied science, technology and commerce particularly at sub-professional grades;
(b) to provide the technical knowledge and vocational skills necessary for agricultural, industrial, commercial and economic development;
(c) to provide people who can apply scientific knowledge to the improvement and solution of environmental problems for the use and convenience of man;
(d) to give an introduction to professional studies in engineering and other technologies;
(e) to give training and impart the necessary skills leading to the production of craftsmen, technicians and other skilled personnel who will be enterprising and self-reliant, and
(f) to enable our young men and women to have an intelligent understanding of the Increasing complexity of technology. (Federal Republic of Nigeria, 1981)

By 2007 the nomenclature for technical education had changed. The National Policy on Education 2007 thus uses the term technology education in place of technical education and the provision of technology education is now a tertiary level enterprise. The focus of technology was

also upgraded from the production of sub-professional manpower to professional manpower. The new goals of technology education were to

(a) provide courses of instruction and training in engineering, other technologies, applied science, business and management, leading to the production of trained manpower;
(b) provide the technical knowledge and skills necessary for agricultural, industrial, commercial, and economic development of Nigeria;
(c) give training that impart the necessary skills for the production of technicians, technologists and other skilled personnel who shall be enterprising and self-reliant;
(d) train people who can apply scientific knowledge to solve environmental problems for the convenience of man; and
(e) give exposure on professional studies in the technologies (Federal Republic of Nigeria, 2007).

Upgrading the status of technology education has, however, not removed the pressure on universities as tertiary institutions of choice, even in technology related disciplines. This is despite the fact that a large pool of university rejects[40] exists and claims that polytechnic graduates perform better than their counterparts from universities

The Polytechnic System comprises of 84 polytechnics institutions (NBTE, 2013, p. 13), and the regulatory and professional bodies in the sector as well as education ministries and departments. The monotechnics and innovation and vocational enterprise institutions offering vocational education can also be included in this sector because of the type of programmes they offer.

As is the case with universities, the ownership of polytechnics is dominated by government and even more so than universities. Thus, while the Federal and State governments account for about 61 per cent of the universities in the country, in the polytechnic sector the percentage increases to just over 70.2 per cent. Although the states overtake the Federal Government as the largest type of ownership by accounting for nearly 45 per cent of the polytechnics in the country, the Federal Government remains the single largest owner of polytechnics.

---

[40] University rejects are candidates who are denied admission into universities either because they did not obtain the cut-off mark in the university matriculation examination or lack the requisite entry qualification

Table 5.12 Ownership structure of polytechnics in Nigeria

Type of Ownership	Number of Polytechnics	Percentage
Federal Government	21	25
State Government	38	45.2
Private	25	29.8
Totals	84	100.0

5.3.3.3 The Colleges of Education System

The Colleges of Education System is responsible for the training and retraining of teachers for primary and secondary schools. The Colleges of education system comprise 100 colleges of education, polytechnics offering NCE programmes, and their regulatory agencies. The distribution of colleges of education by ownership and type is given in Table 3.13.

Table 5.13 Ownership structure of colleges of education in Nigeria

Type of Ownership	Type of College of Education			**Totals**
	Conventional	Technical	Special	
Federal Government	12	8	1	21
State Government	43	3	Nil	46
Private	32	1	Nil	33
Totals	87	12	1	100

The Federal and State governments account for 67 per cent of all the colleges of the education among them. They also account for 92 per cent of the ownership of the technical colleges of education. The Federal Government also owns the only institution in this sector that trains teachers of the physically and mentally challenged. The apparent lack of interest of the private sector in the establishment of colleges of education may not be unconnected with the low valuation placed on teaching as a career.

The colleges of education are largely responsible for the realisation of the goals of teacher education as enunciated in the National Policy on Education. These goals are to:

(a) produce highly motivated, conscientious and efficient classroom teachers for all levels of our educational system;
(b) further encourage the spirit of enquiry and creativity in teachers;
(c) help teachers fit into the social life of the community and the society at large and enhance their commitment to national goals;
(d) provide teachers with the intellectual and professional background adequate for their assignment and to make them adaptable to changing situations;
(e) enhance teachers' commitment to the teaching profession (Federal Republic of Nigeria, 2007).

These are laudable objectives. However, they are far from being met. The colleges of education are unable to produce enough teachers of the right quality for the basic and post-basic education sectors. Thus according to the Roadmap for the Nigerian Education Sector of 2009

> A large number of teachers with certificates below the NCE (38.75%) still abound in the system. In the North-East and North-West regions, the figure is about 70%. The existing shortfalls in teachers are 969,078 for ECCDE; 338,147 for Primary education; 581 for JSS; 1,580,000 for adult literacy and 12,329 for nomadic education (Federal Ministry of Education, 2009, p. 26)

The shortage is not limited to the early childhood care development and education and basic sector, it affects the post-basic sector also. The post-basic sector also suffers gross shortages of qualified teachers. "Out of a total of 180,540 teachers in the secondary schools, only 141,517 are qualified teachers, while 39,023 are unqualified" (Federal Ministry of Education, 2009, p. 40). In the technical and vocational sub-sector of post-basic education, there is "lack of teachers with the requisite skills and competence to teach technology" (Federal Ministry of Education, 2009, p. 48). The shortage of qualified teachers at the above levels has been attributed to low public esteem and poor remuneration.

171

> The impact of the low remuneration and delayed salary payment, include high attrition rate, low morale and motivation to teach, endless struggle to make ends meet; sometimes toiling as 'okada' riders …The cumulative effects of poor teaching-learning conditions and teaching incentives are low performance and poor teacher retention rate. (Federal Ministry of Education, 2012a, p. 45).

The shortage of qualified teachers at the basic and post-basic levels is said to be responsible for "the poor quality of educational outcomes recorded in recent years" (Federal Ministry of Education, 2012a, p. 44) in the senior school certificate examinations conducted by the West African Examinations Council and the National Examination Council of Nigeria as well as the Unified Tertiary Matriculation Examination of the Joint Admissions and Matriculation Board. Another consequence is that teachers are overworked with the average teacher to student ratio standing at 1:75, more than twice the UNESCO recommended standard of 1:35 (Federal Ministry of Education, 2012a).

The teacher problem pervades all levels of education. The 4-Year Strategic Plan makes a similar observation with regard to higher education as it did of the lower levels of the educational sector. Thus it observes as follows:

> The quality of the lecturers is, to a large extent poor. Most of them lack adequate research-based qualifications. They are also faced with the problem of inadequate teaching resources, access to modern library and information resources and exposure to other educational systems. The result of all these, is that most teachers' skills are too basic and limited to be able to communicate the curriculum effectively (Federal Ministry of Education, 2012a, p. 44).

5.4 Higher Education Policy in Nigeria

Educational policy from a general perspective refers to the "agreed ways the educational system should be operated or managed" (Igbineweka, Nwagwu, & Ogundiran, 2011, p. 32). The higher education policy of Nigeria is encapsulated in the National Policy on Education and other specific policies dealing with different aspects of higher education, higher education institutions, higher education regulatory agencies, science and technology, teacher and vocational education,

and youth development. Higher education policy also deals with specific social issues such as HIV/AIDS and gender.

5.5 Administration and management of higher education institutions

This section examines the administrative and management machineries for the higher education system and higher education institutions in the country. The various bodies directly implicated in the administration and management of higher education institutions established by law fall into two natural parts – an external component and an internal component. The external component refers to the ministries, departments, and agencies performing regulatory and supervisory functions in the higher education sector while the internal component consists of the administrative and management organs of higher education institutions. We will begin with the external component. The external bodies involved in the administration and management of higher education institutions are invariably determined by the laws establishing such institutions as well as the constitution and other national laws and include the following: the government/proprietor and NUC/NCCE/NBTE. Performing a gate-keeping function to the higher education institutions in the country is the Joint Admissions and Matriculation Board (JAMB) which sets the qualifications for admission into particular programmes and determines through an entrance examination, the unified tertiary matriculation examination (UTME), who gains access which institution. This research is however concerned with JAMB only in so far as perception of candidate conduct in its examination has come to constitute an additional obstacle candidates must cross to become students of tertiary education institutions. This additional obstacle takes the form of post-UTME selection examination organized by individual universities, polytechnics, and colleges of education.

5.5.1 The Government/Proprietor

There are two broad categories of owners of higher education institutions in Nigeria - government and private individuals/organizations. The external component of the management of higher education institutions comprises the Visitor; the relevant ministry of education; the National Universities Commission in the case of universities, the National Commission for

Vocational Education in respect of polytechnics, or the National Commission for Colleges of Education in respect of colleges of education; and the governing council of the higher education institution concerned. The role of the proprietor in the management of higher education institutions include the appointment of the political heads of such institutions – the chancellor, the pro-chancellor and chairman of council, and the vice-chancellor and members of the governing council. In the case of government owned universities, polytechnics and colleges of education, the President or the Governor of a state is also the Visitor to the institution.

The Universities (Miscellaneous Provisions) (Amendment) Act 2003 provides in section 7(1) that there shall be a Visitor for each university. This law mandates the Visitor to institute a visitation to each university at least once every five years and to make the reports of such visitations as well as the white paper thereon to the Governing Council for implementation. It is also the responsibility of the Visitor to appoint the chancellor and the vice-chancellor in consultation with the governing council. The Visitor is also empowered to remove such officers from office. The interpretation and determination of the statutes of universities is also vested in the visitor. This means that the jurisdiction of the courts is ousted in dealing with the domestic affairs of a university, including examinations.

The Visitor of all Federal Government owned universities in the country is the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria (Shu'ara, 2010). The provision on the Visitor in the individual statutes establishing the various Federal Government owned universities is virtually uniform. The Minister of Education is the Visitor to all Federal Polytechnics and Colleges of Education ("Federal Colleges of Education Act," 1986; "Federal Polytechnics Act," 1979). As the personification of the Federal Government, the Visitor is also the chief funder of the university. The powers and functions of the visitor are set out in identical terms for all three types of Federal Government owned higher education institutions as the following excerpts from the laws establishing the three types of institutions show.

Universities

14. The Visitor
(1) The President shall be the Visitor of the University.
(2) The Visitor shall as often as the circumstances may require, not being less than one every five years conduct a visitation of the University or direct that such a visitation be conducted by such persons as the Visitor may deem fit and in respect of any of the affairs of the University.
(3) It shall be the duty of the bodies and persons comprising the University-
(a) to make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation; and
(b) to give effect to any instructions consistent with the provisions of this Act which may be given by the Visitor in consequence of a visitation ("University of Nigeria Act," 1985).

Polytechnics

4. Visitation
(1) The Minister of Education shall be the Visitor to each Polytechnic.
(2) The Visitor shall, not less than once in every five years, conduct a visitation of the college or appoint a Visitation Panel, consisting of not less than five experts. To conduct the visitation-
(a) for the purpose of evaluating the academic and administrative performance of the polytechnic;
(b) for such other purpose or in respect of any other affairs of the polytechnic as the Visitor may deem fit ("Federal Polytechnics Act," 1979).

Colleges

7. Visitation
(1) The Minister of Education shall be the Visitor of each College.
(2) The Visitor shall, not less than once in every five years, conduct a visitation of the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation-
(a) for the purpose of evaluating the academic and administrative performance of the College; or
(b) for such other purpose or in respect of any other affairs of the College as the Visitor may deem fit ("Federal Colleges of Education Act," 1986).

The key difference in the statutes of universities on the one hand and polytechnics and colleges of education on the other hand is the creation of an obligation on the part of universities to assist the Visitor and enforce his instruction - a provision which is lacking in the laws establishing polytechnics and colleges of education. The Ahmadu Bello University Act has slightly different wording and also provides in section 7 (2) that in "in the exercise of all powers conferred upon the Visitor' by it, 'the Visitor shall act in his sole and absolute discretion" ("Ahmadu Bello University (Transitional Provisions) Act," 1975). The Visitor is also vested with the power to interpret or decide on the meaning of any provision of the statute of a university to the exclusion of the jurisdiction of any court of law save where such interpretation conflicts with the provisions of the Constitution of the Federal Republic of Nigeria ("University of Port Harcourt Act.," 1979). In the determination of the meaning of any provision of a statute, the Visitor may take such advice as he[41] thinks fit, but ultimately remains the final arbiter on any internal dispute in the university, polytechnic, or college of which he is Visitor. However, the constitutionality of the provisions of any statute falls within the competent jurisdiction of a high court according to section 13 (2) of the University of Port Harcourt Act ("University of Port Harcourt Act.," 1979). It is also the Visitor who appoints the external members of the Governing Councils and Chief Executive Officers of the universities, polytechnics, and colleges.

The role of the Visitor in state government owned universities is almost identical to those of Federal Government owned universities. Thus, the Rivers State University of Education Law 2009 provides for the position of Visitor in section 16. Section 16 (1) declares that the "Governor shall be the Visitor of the University" while sections 16 (2) and 16(3) enumerate the functions and powers of the office. Section 16 (2) mandates the Visitor to conduct visitations to the University, at least once every four years and section 16 (3) obliges the University to avail the Visitor or his agents of whatever assistance and facilities "he or they may reasonably require for the purposes of a visitation". Section 16 (3) (b) mandates the University "to give effect to any instructions" which may arise out of a visitation ("Rivers State University of Education Rumuolumeni, Port Harcourt, Law 2009,"). The power of interpretation of statute here is vested

---

[41] The Statutes of the various institutions refer to the visitor as 'He', hence our use of this gendered pronoun.

in the Chancellor "who shall take such advice and make such decisions thereon as he shall think fit" according to the provisions of section 15 of the Rivers State University of Education Law.3.5.2 The Federal Ministry of Education

The Federal Ministry of Education (FME) is responsible "for laying down national policies and guidelines for uniform standards for all levels of education in Nigeria" as provided for in "the National Policy on Education, the Education Decree No. 16 of 1985 and the 1999 Constitution of the Federal Republic of Nigeria" (Federal Ministry of Education, 2012b) and other statutory instruments on education. The FME

1. Formulates a national policy on education.
2. Collects and collates data used for educational planning and financing.
3. Maintains uniform standards of education throughout the country.
4. Controls the quality of education in the country through the supervisory role of the Inspectorate Services Department within the Ministry.
5. Controls the quality of education in the country through the supervisory role of the Inspectorate Services Department within the Ministry.
6. Harmonizes educational policies and procedures of all the states of the federation through the instrumentality of the National Council on Education.
7. Gives effect to co-operation in educational matters on an international scale.
8. Develops curricula and syllabuses at the national level in conjunction with other bodies (Federal Ministry of Education, 2012b).

For the effective performance of the above functions, the FME is divided into departments, which are in turn structured into divisions. Two of the departments are of immediate interest to this work. They are the Tertiary Department and Planning, Policy, and Management Research Department. The Tertiary Department is charged with the responsibility for formulating, implementing, and monitoring policies on higher education. It performs fourteen major functions namely

1. Policy design, co-ordination and implementation of programmes of Post-Secondary and Tertiary Education in Nigeria;
2. Monitoring and coordinating the activities of Unions in all federally owned tertiary institutions (ASUU, NASU, SSANU, etc.);
3. Monitoring of Policy implementation with regards to Government White Paper on Visitation Panel Reports in the federally owned Tertiary Institutions;
4. Collation of Reports from the Ministry's Representatives at the various Governing Council of federally owned Tertiary Institutions;
5. Monitoring the activities of Students' Unions on campuses through the students' affairs officers of the various institutions;
6. Processing and implementing Federal Government Scholarship Schemes
7. Organizing World Teacher Day (5th October every year);
8. Evaluation of qualifications and accreditation of Tertiary Educational Institutions;
9. Liaison with assigned Parastatals responsible for laying down the Minimum Standards for institutions of higher learning in the Country – (NUC, NBTE, NCCE, JAMB, Inter-University Centres) ;
10. Processing suggestions, requests and petitions meant for Government attention from Tertiary Institution
11. Policy Design and co-ordination of International Exchange and Linkages in tertiary;
12. Advisory services to States and Private institutions of Higher learning
13. Educational information, documentation and dissemination; and
14. Capacity building (Federal Ministry of Education, 2012d).

The Tertiary Department is structured into four divisions. These are Science and Technology; Technical, Vocational and Non-Formal Education; Institutional Support; and Tertiary Institutions. Before the ongoing reforms in the education sector, University Education, Polytechnic Education, and Teacher Education constituted separate divisions but have now been put under one umbrella, Tertiary Institutions Division. Other pre-reform divisions in the department were Student and Staff Matters and Scholarship.

The Federal Ministry of Education is headed by a minister of cabinet rank who is assisted by a minister of state for education. The political leadership of the ministry has witnessed several changes since independence. One consequence of the rapid turnover of ministers is policy instability and programme abandonment in the sector.

The FME is perhaps the most important player in Nigeria's higher education sector as the representative of the interest of the Federal Government which, unarguably, is the highest funder of education in the country. The centrality of the FME is not due only to the functions it performs but also to the fact that it is often the object of every grievance in the sector that requires nationwide solution. It thus enjoys a very high visibility among other education stakeholders. This visibility sometimes borders on the notorious, as the sector it supervises is perceived to be mired in corruption. Over 60 per cent of respondents in surveys conducted by the Independent Advocacy Project reportedly paid bribes to officials of the ministry of education in order to receive service over the period 2005 – 2007. Specifically, 63 per cent and 74 per cent of respondents paid bribes to education officials in 2005 and 2007 respectively (Independent Advocacy Project, 2007, p. 16). In those two years, 2005 and 2007, the ministry of education was respectively adjudged 4th and 3rd most corrupt institution in the country. Earlier in 2003, the education system was recorded as the third most "deserving sector for corruption cleanup" (Erubami & Young, 2003). The key points where respondents encountered corruption in the surveys were in admission to higher education institutions and examinations with candidates bribing to secure admission and lecturers demanding monetary or sexual favours to pass students: forms of corruption in which students of higher education institutions are directly involved.

5.5.3 The National Universities Commission

The National Universities Commission (NUC) was established in 1962 on the recommendation of the Ashby Commission. The Ashby Commission based its recommendation on the fact that "the administration of universities involves highly technical questions" which no ministry is equipped to handle (Federal Ministry of Education, 1960, p. 32). It therefore recommended the setting up of a body which will enjoy the confidence of the government and the universities; "have the interests of both at heart: to protect universities at all times from control from outside, and to protect the public against needless duplication or wastage of scarce resources" and be "a counsellor and watchdog" (Federal Ministry of Education, 1960, p. 32). The Ashby Commission considered the establishment of a National Universities Commission an urgent national priority

because the "financing and coordination of universities' in Nigeria had 'their special problems" including

> (i) universities by their nature must be national, yet they are on the concurrent list of the Constitution; (ii) for many years to come universities will be a heavy burden on the budget, and competition between universities for limited resources will be very severe; any uncontrolled proliferation of universities might be disastrous; (iii) the Nigerians who have the necessary experience to advise the Government on universities are already very heavily burdened with public affairs (Federal Ministry of Education, 1960, p. 33).

The original mandate of the NUC therefore was to advise both the Government and the universities; and "to play a vital part in securing money for universities and distributing it to them, in coordinating (without interfering with) their activities, and in providing cohesion" for the higher education system of the country (Federal Ministry of Education, 1960, p. 33). The Ashby Commission Report also dealt with the membership and composition of the NUC. The powers of the NUC have since exceeded those envisaged by the Ashby Commission.

The NUC started operation as a coordinating body without an enabling law or autonomous existence. It initially operated from the Prime Minister's office who was the Minister in charge of higher education and so was to all intents and purposes more or less an administrative department. At this stage its functions were

i) To inquire into and advise the government on the financial needs both recurrent and capital of university education in Nigeria.
ii) To assist in consultation with the Universities and other bodies concerned in planning the balanced and coordinated development of the universities in order to ensure that they are fully adequate to national needs.
iii) To receive annually a block grant from the federal government and to allocate it to universities with such conditions attached as the commission may think advisable.
iv) To act as an agency for channelling all external aid to the universities throughout the federation.
v) To take into account, in advising the federal government, such grants as may be made to the universities by regional governments, persons and institutions both at home and abroad.

vi) To collate, analyse and publish information relating to universities' finance and university education both in Nigeria and abroad.

vii) To make, either by itself or through committees, such other investigations relating to higher education as the commission may consider necessary and, for the purpose of such investigations, have access to the records of universities seeking or receiving federal grants.

viii) To make such other recommendations to the federal government or to universities relating to higher education as the commission may consider to be in the national interest (Njoku, 2002)[42].

It became a statutory body only with the promulgation of Decree No 1 of 1974. On becoming a statutory body, the NUC was empowered to:

a. Advise the President and Governors of the States, through the Minister of Education, on the creation of new universities and other degree awarding institutions in Nigeria;

b. Prepare, after consultation with all state Governments, the Universities, the National Manpower Board and such other bodies as may be appropriate, periodic master plans for the balanced development of all Universities in Nigeria;

c. Make such other investigations relating to higher education as the commission may consider to be in the national interest;

d. Inquire into and advise the Federal Government on the financial needs, both recurrent and capital of University education in Nigeria and in particular, to investigate and study the financial needs of university research and to ensure that adequate provision is made for this in the Universities;

e. Increase block grants from the Federal Government and allocate them to Federal Universities in accordance with such formula as may be laid down by the National Council of Ministers;

f. Collate, analyse and publish information relating to University education in Nigeria;

g. Undertake periodic reviews of the terms and conditions of service of personnel engaged in the Universities; and

h. Recommend to the Visitor of the Federal Universities that a visitation be made to such University as at when it considers it necessary (Okoroma, 2007, p. 38).

---

[42] Original paper not paginated.

However, the expansion of the functions and powers of the NUC has detracted from the intentions of the Ashby Commission for the body as an institution enjoying the confidence of the government and the universities and serving as a honest broker between them. Over the years, especially with the long years of military rule and the militarization of the culture of higher education institutions, the NUC has largely lost the confidence of important sectors of the university community, especially lecturers and students, who see it as a government instrument for stifling academic freedom. According to Amadi (n.d., p. 38), the scope of operations of NUC has been expanded to usurp "the powers of the university Senate to regulate curriculum and syllabus" and "stripped the universities of their power to develop new programmes' or 'realign their courses to match labour market requirements except with the approval of NUC". In other words, the body has moved from being a coordinating body to a controlling state organ. It now accredits academic programmes of universities, approves the establishment of new departments and faculties, establishes and enforces a minimum academic standard, undertakes sabbatical placement for universities, assesses academic journals, ranks universities, and even encroaches on the teaching function of universities through a virtual institute for higher education pedagogy. It is also responsible for the licensing of new universities.

There is nothing inherently wrong with the centralization of the functions the NUC has come to assume if it represents the interests of the government as well as those of the university communities and the general public but this has not been the case, at least, not from the point of view of faculty and staff of universities. From the perspective of staff and faculty of universities, it serves the interest of the government and infringes on the rights of individual universities to create their own programmes, determine their curriculum, and train their personnel (Amadi, n.d., p. 40). In particular, it was always in a hurry to execute ordinary pronouncements of education ministers even when such are not backed by law.[43] One of the primary reasons for its establishment was the need to create an autonomous agency which would enjoy the confidence and trust of both the government and the universities but the Commission, as it currently stands,

---

[43] This may be a carryover from the long period of military rule during which mere pronouncements of senior government officials had the force of law.

does not enjoy the confidence and trust of university lecturers. It is now largely seen as "a clearing house and inspector for the universities" (Abdulkareem & Muraina, 2001, p. 8)

5.5.4 The National Board for Technical Education (NBTE)

Like the NUC, the NBTE is an organ or parastatal under the supervision of the Federal Ministry of Education. But unlike the NUC which deals only with tertiary education, the NBTE deals with technical education in the country at all levels. It was established to coordinate all aspects of technical and vocational education falling outside universities". The Board is managed by an Executive Secretary under the supervision of a 19-member board appointed by the President. The National Board for Technical Education Act, 1977, which established it, details its functions and powers as follows

> The functions of the Board shall be-
> (a) to advise the Federal Government on, and to co-ordinate all aspects of, technical and vocational education falling outside the universities and to make recommendations on the national policy necessary for the full development of technical and vocational education for the training of technicians, craftsmen and other middle-level and skilled manpower;
> (b) to determine, after consultation with the National Manpower Board, the Industrial Training Fund and such bodies as it considers appropriate, the skilled and middle-level manpower needs of the country in the industrial, commercial and other relevant fields for the purpose of planning training facilities and in particular to prepare periodic master plans for the balance and co-ordinated development of polytechnics and colleges of technology and such plans shall include-
> (i) the general programmes to be pursued by polytechnics and colleges of technology in order to maximize the use of available facilities and avoid unnecessary duplication while ensuring that they are adequate to the manpower needs of the country; and
> (ii) recommendations for the establishment and location of new polytechnics and colleges of technology as and when considered necessary;
> (c) to inquire into and advise the Federal Government on the financial needs, both recurrent and capital, of polytechnics and colleges of technology and other technical institutions to enable them meet the objective of producing the trained manpower needs of the country;

(d) to receive block grants from the Federal Government and allocate them to polytechnics and colleges of technology in accordance with such formula as may be laid down by the President;

(e) to act as the agency for channelling all external aid to polytechnics and colleges of technology in Nigeria;

(f) to advise on, and take steps to harmonise entry requirements and duration of courses at technical institutions;

(g) to lay down standards of skill to be attained and to continually review such standards as necessitated by technological and national needs;

(h) to review methods of assessment of students and trainees and to develop a scheme of national certification for technicians, craftsmen and other skilled personnel in collaboration with Ministries and organisations having technical training programmes;

(i) to undertake periodic reviews of the terms and conditions of service of personnel in polytechnics and colleges of technology and to make recommendations thereon to the Federal Government;

(j) to collate, analyse and publish information relating to technical and vocational education;

(k) to recommend to the Visitor of a polytechnic that a visitation be made to the polytechnic as and when it considers necessary;

(l) to consider any matter pertaining to technical or technological education as may be referred to it from time to time by the Minister; and

(m) to carry out such other activities as are conducive to the discharge of its functions under this Act.

The NBTE thus performs parallel functions to the NUC in respect of monotechnics, polytechnics, colleges of technology, and vocational institutions. Therefore, in addition to the above functions enumerated in the original act that created it, the NBTE also has responsibility to establish and maintain minimum standards for all levels of technical education; accredit programmes of technical and vocational institutions for the award of national certificates and diplomas and such similar awards; and to recommend the establishment of polytechnics. In the exercise of the above powers and functions, it carries out accreditation programmes in the polytechnics and other institutions awarding qualifications in technical and vocational education. Institutions which fail its accreditation are barred from admitting fresh students into programmes that do not meet its minimum standards.

5.5.5 The National Commission for Colleges of Education (NCCE)

The NCCE was established "to advise the Federal Government on all aspects of teacher education falling outside the universities, and polytechnics and other matters ancillary thereto". Its jurisdiction is limited to teacher education below the degree level. Established by the National Commission for Colleges of Education Act of 1989, the Commission coordinates all aspects of teacher education; sets minimum standards for the teacher education and accredits the certificates and other academic awards issued by colleges of education; sets guidelines for the accreditation of colleges of education and the criteria for the approval of the establishment of new colleges; determines the teacher needs of the country; determines and advises the Federal Government about financial needs of the colleges of education; receives and allocates block grants to the colleges of education; determines the entry qualifications into colleges of education and the duration of courses; collates, analyses, and publishes information on teacher education; and recommends visitation to the colleges. With many colleges of education running degree programmes, it often has to share jurisdiction with the NUC in such colleges. Its limitation to dealing with teacher education below the degree level makes it a third tier coordination and regulatory mechanism in the higher education sector.

5.5.6 The Management Structure of Tertiary Institution

The internal components of the administrative machinery of higher education institutions consist of the governing council, the senate, congregation, and convocation. The internal organization of tertiary institutions, particularly the universities, is designed to reflect their status as autonomous legal entities as enshrined in their various establishment acts. The discussion in this section shall focus on the universities partly because of the similarities in the organizational structures of higher education institutions in the country and partly because universities are the apex of the higher education system and its pace and trend setter. However, where there are significant differences among the three sectors in the higher education system, these will be highlighted.

5.5.6.1 The Governing Council

At the apex of the internal governance structures of higher education institutions is the governing council. Every higher education institution has a governing council as its supreme internal governing authority. The governing council is generally vested with power to make statutes and policy for the order and good governance of the institution including the control of the property and expenditure of the institution. For example the Federal University of Technology Act provides in S.6 (1) that

> Subject to the provisions of this Act relating to the Visitor, the Council shall be the governing body of each University and shall be charged with the general control and superintendence of the policy, finances and property of the University.

The powers of the university council are quite extensive. Thus, the University of Ibadan Act provides that in S.5 (2) "the Council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of the activities of the University" subject only a limitation regarding the disposal of university land in which case it needs the prior consent of the Minister of Education. The Council also has power to request reports from the Senate on teaching and learning matters, as provided for the Ahmadu Bello University Act (S.13 (3)(m), thus having an eye in the key function of a university. The Council is also responsible for the appointment, promotion, discipline of academic and non-academic staff of their institutions. In the case of ABU, the power of the Council also extends to providing

> for the welfare of all persons employed by the University and the wives, widows and dependants of such persons including payment of money, pensions or other payments and to subscribe to benevolent and other funds for the benefit of such persons (S.13 (2)(n).

In some universities, such as the Universities of Lagos, Ilorin, and Calabar as well as Bayero University and Usmanu Danfodiyo University at Kano and Sokoto respectively, the public relations of the university is also the responsibility of the Council (Ojo, 1990, p. 91).

The Council also exercises appellate jurisdiction in matters of student discipline. The effectiveness and impartiality of a council in the performance of this function has an important bearing on whether the high courts will sanction disciplinary measures meted out by a university or any other higher education institution to a student or overturn such decisions on grounds of lack of fair hearing or lack of independence. In the case of the polytechnics, the Council may act in place of a Rector where s/he refuses to exercise his/her disciplinary powers. Accordingly, the Federal Polytechnics Act in S.18 (2) of provides that

> Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) of this section to any student of the polytechnic who is guilty of misconduct.

The Federal Colleges of Education Act contains a similar provision in S.23 (4) which vests in the Council the power to exercise original jurisdiction in matters of student discipline if the Provost, by reason of temporary vacancy in the office or any other inability is unable or refuses to take disciplinary action against any student guilty of misconduct.

The governing council constitutes the link and interface between an institution on the one hand and its owners or proprietors and other stakeholders on the other. A university comprises both internal and external components. For example, the University of Nigeria Act defines the institution as consisting of the following –

    (a) a Chancellor;
    (b) a Pro-Chancellor and a council;
    (c) a Vice-Chancellor and a Senate;
    (d) a body to be called Congregation;
    (e) a body to be called Convocation;
    (f) the campuses and colleges of the University

(g) the faculties, schools, institutes and other teaching and research units of the University;

(h) the persons holding the offices constituted by the First Schedule to this Act other than those mentioned in paragraphs (a) to (c) of this subsection;

(i) all graduates and undergraduates; and

(j) all other persons who are members of the University in accordance with provision made by statute in that behalf.

The chancellor, pro-chancellor, and members of the council who are not officers or employees of the university constitute the external component. The rest constitute the internal component. Both components the external and internal components of the university are represented on the council. The polytechnics and colleges of education are similarly constituted; and so are their governing councils. In the case of the universities the council comprise a minimum of 20 members drawn from various classes of stakeholders within and outside the university. Generally it consists of the following as members: pro-chancellor; vice-chancellor; deputy vice-chancellors; and

(d) one person from the Ministry responsible for education;

(e) nine persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President;

(f) four persons appointed by the Senate from among its members;

(g) two persons appointed by the Congregation from among its members;

(h) one person appointed by convocation from among its members.

The variation in the number of members of a governing council arises from the number of deputy vice-chancellors in an institution. Conspicuous by their exclusion from membership of the governing council are students.

The governing councils of polytechnics and colleges of education have smaller memberships. The council of colleges of education have 12 members while those of polytechnics have 15 members. One peculiarity of the councils of polytechnics and colleges of education is a specific provision for women representation in their membership ("Federal Colleges of Education Act," 1986; "Federal Polytechnics Act," 1979).

Although the governing councils of the universities, polytechnics, and colleges of education have a critical role to play in the discipline of students, student' handbooks hardly contain any information about the role of the councils in their lives as students and how they are to relate to it. To take but two examples, the student' handbook of the University of Port Harcourt only reproduced S.18 (2) of the University of Port Harcourt Act but does not explain to students the procedure to follow in appealing decisions of the Vice-Chancellor to the governing council. The second example is the Federal College of Education, Zaria. Here the Student's Guide/Handbook listed the powers and functions of the College Governing Council as provided for in the Act that established the institution. However, S.23, dealing with student discipline was neither reproduced nor paraphrased even though the Act gives the Council both original and appellate jurisdiction in matters of student misconduct. Furthermore, while the Zaria handbook indicated the channel of communication for the expression of grievances, this stopped with the Provost and students were not told that they could appeal to the council if they had any grievance against the provost or are dissatisfied with the way he or she may have handled an issue.

5.5.6.2 The Senate/Academic Board

The Senate/Academic Board is an internal organ of a university/polytechnic or college of education. Presided over by the Vice-chancellor or Rector or Provost as the case may be, and generally comprising the academic leadership of the institution, this organ has "supreme responsibility for all … academic work, receives and decides on recommendations and reports from the Boards of Faculties, and all other academic units" (University of Port Harcourt, 2008). From the point of view of student discipline or students' rights, it is a misleading to inform students that the Senate has supreme responsibility without at the same time telling them that its powers and authority are subject to Council oversight and review. In particular, S.7 (6) granting a right of appeal from the Senate to the Council ought to have been reproduced. By the provisions of S.7 (1) ("University of Port Harcourt Act.," 1979), the powers of the Senate are subject to the Council to which it reports and under which general direction it operates. This limitation is clearer in the case of the colleges of education where the governing council in addition to receiving reports from the academic board, also appoints two members of that board according to

the provisions of S.8 (1)(d) ("Federal Colleges of Education Act," 1986). But it is also clear in some other universities such as ABU ("Ahmadu Bello University (Transitional Provisions) Act," 1975, p. s.13 (M & O)) and University of Calabar (S.7(6)).

The Senate/Academic Board, as indicated earlier, is made up of the academic leadership of the respective university or polytechnic/college of education. This leadership is made up of the Vice-Chancellor or Rector/Provost and their deputies, the deans of faculties, and heads of academic departments and academic units. The institutions are ordinarily organized into faculties and departments. The faculties have a faculty board headed by the dean as the principal policy organ while the departments have departmental boards. These boards handle all academic details affecting students at their respective levels. From the perspective of students, the key functions relate to examinations which provide a major context or structure of higher education student corruption.

5.6 Chapter summary

This chapter discussed the Nigerian higher education system providing insights into what makes it vulnerable to corruption. Specific issues addressed included the constitutional and legal framework of higher education, the capacity of the system to meet the ever rising demand for higher education, and the management of the system. It showed how the system has grown in terms of number of institutions and types of ownership as well as student enrollment. The chapter also examined the management structure of tertiary education in the country and highlighted the negative effects of the politicization of higher education for the effective management of the system. It also highlighted the lack of clear and detailed provisions on disciplinary procedures regarding student conduct. The next chapter, Chapter Six, presents and analyses the field data collected through surveys, interviews, and focus group discussions.

Chapter Six: Students' Idea of Corruption

6.0 Introduction

This chapter opens with a discussion of why the political economy approach can be used to analyse corruption among students. It presents students as being self-interested and conscious of themselves as a distinct class or category of people in the higher education industry. It presents, discusses, and analyses the findings of the research along the framework of the major research questions. It explicates students' ideas and concept of corruption and higher education student corruption; discusses the constitutive elements of higher education student corruption or patterns of students' behaviour which they (students) consider corrupt as well as the structures which conduce to such behaviours.

6.1 Students as a class

Students are key stakeholders in the higher education industry and they are conscious of this fact. Thus, in a face-off between ASUU – RSUST and the Rivers State Government over the reappointment of Professor Barineme Fakae as Vice-Chancellor of the institution which resulted in the Union embarking on a prolonged strike, the President of the National Association of Nigerian Students (NANS), Mr Mohammed Dauda, warned the national body of the Union (ASUU) against embarking on a nationwide strike by ASUU-National in solidarity with their counterparts at RSUST (Correspondent, 2012). According to the National President of NANS,

> ASUU, particularly the RSUST chapter, should also be reminded that ***there are other stakeholders, including students in the university*** (my emphasis)***,*** and hence should not assume the monopoly of determining how the university is administered.
>
> We urge ASUU at the national level to prevail on its members in RSUST to engage in further dialogue and allow ***majority opinion*** (my emphasis) to prevail in resolving the long drawn dispute in the institution (Correspondent, 2012)[44].

The NANS National President declared that as far as students "are concerned, the River State Government, who is the proprietor of RSUST, reserves the right to either appoint or sack, who to administer the University." In essence, students are very cognisant of their peculiar and distinctive interests as students. Thus, while they may undertake joint actions with labour unions and other civil society organizations, they know that actions in the education sector impact them very differently when compared to the other stakeholders.

Students are simultaneously consumers, producers, and products of higher education. They are also the raw materials that undergo transformation in the educational processes of higher education institutions; they are, in other words, the objects of labour in the higher education industry. According to Claude Ake, objects of labour

> are the things to which labour power is applied [and include] the objects of nature such as coal, oil and the iron-ore in the ground, waiting to be extracted and harnessed to serve human needs… Objects of labour may also include things which some human labour has already touched (1981, p. 10)

As the above definition and examples show, objects of labour are things which are used in the production of goods ready for use by the application of labour power on them. To refer to students as objects of labour is not to suggest their *thingification* but rather to emphasize the nature of the educational process. While the examples cited by Ake (1981) are all mineral resources, these are not the only natural resources or objects of nature as he refers to them. Cattle are the raw materials for the production of milk and sheep for the production of wool. Students cannot be equated with objects of labour which are objects of nature; they cannot also be said to be equivalent to partially processed materials such as wood used in furniture making or wool used in clothe making.

Students, as objects of labour or as raw materials in the educational process, are not consumed in the production process; rather, they undergo transformation in character and personality. The entire educational system of virtually every nation is actually designed to bring about such transformations. Continuing education is, for example, an attempt to induce transformation in the adult population of societies. Students are humans and as such have volition and capability to think and act; they also share in the culture of the bearers of labour power in the educational process. But they are expected to be refined and transformed in policy and curriculum-determined directions in the higher education process. They are released from their respective higher education institutions only after fulfilling this expectation. In other words, higher education institutions issue or award their certificates, diplomas, and degrees to students whom they have "found worthy in character and learning" (Idogho, 2011, p. 269). The Nigerian Defence Academy, the only military university in the country clearly emphasized the importance of character in the award of its qualifications when it stated in its website that "[O]n completion of the academic programme, cadets who are found **worthy in character** and learning are awarded Bachelor's degrees" (Nigeria Defence Academy, 2014) [emphasis added].

Higher education institutions are ordinarily involved in the provision of two basic services, teaching and research; and in recent times also community engagement. The production function in the higher education industry is structured in a similar way to those in other industries – labour power, in combination with means of labour, acts on objects of labour to produce value. Labour power refers to "the physical, psychological and intellectual capabilities of man, the worker" (Ake, 1981:10). With respect to higher education, the workers comprise all those in the employ of higher education institutions who have no proprietary or ownership rights over the institutions. The workers in higher education institutions comprise lecturers or teaching staff, also called faculty in some countries; and non-teaching staff. The workers who perform the line function in higher education institutions are those engaged directly in teaching and research. These are called lecturers or faculty in different settings. There are also those who perform staff functions in higher education institutions; these comprise different categories of people engaged in administration, technical, professional, and welfare services in higher education institutions. These constitute the staff of higher education institutions. Both the faculty or the lecturers and

the other staff act on the students in the processes of their transformation from high school leavers to university, polytechnic, or college of education graduates ready for employment in different sectors of the labour market, locally and globally.

The owners of labour power or workers in higher education institutions require resources including physical infrastructures such as offices and classrooms, recreational facilities, research and teaching equipment, laboratories and libraries as well as consumables such as chemicals and stationery to do their work. The term 'means of labour' refers to the instruments the worker requires to work. The providers of these instruments are the owners of higher education institutions. Within the framework of higher education institutions, the owners will generally comprise the members of the governing council of the institution who are appointed to represent the interests of the owners and who are responsible for providing the institution with its general policy framework. Ake (1978) refers to this group (those officials who represent and act on behalf of the owners of an enterprise) as exploiters by class situation. An exploiter by class situation is defined as "everyone who owns capital and employs wage labour in industry, commerce, or agriculture" (Ake, 1978, p. 62). But also classifiable as owners are the members of top management, or in the parlance of the University of KwaZulu-Natal, executive management which enforces council decisions. Ake (Ake, 1978) refers to this class of people as "exploiters by class position". They mediate the exploitation of labour power to achieve the object for the establishment of higher education institutions. An exploiter by class position is defined as

> [T]hose who, while not legally owning means of production, play a major role in administering or actualizing exploitation, and maintaining its conditions. They are usually salaried people who hold important positions in the administrative, cultural and coercive apparatus of the state. Members of this category are the officer corps of the armed forces and the police, high ranking civil servants and employees of parastatal bodies, and university teachers (Ake, 1978, p. 62).

As objects of labour, students are transformed but not consumed in the labour processes in higher education institutions. Their transformation entails the impartation to them of knowledge by

lecturers deemed qualified and competent and the building of their character through various processes of socialization and enculturation. But students are different from inanimate and other natural objects of labour as they also labour in the process of their education. Put differently, students act on themselves in the educational production process and their final product quality depends as much on themselves as on the other workers engaged in their production. For example, the class of degree a student passes with normally depends on the intelligence (among other characteristics) and effort of that student.

Also, unlike other objects of labour, students have will and capacity to act on the production processes of higher education. For example, students affect the educational production process when they make demands that result in policy changes or closure of their institutions. Students have been known to boycott lectures and take to the streets in protests over fee hikes and poor service delivery on campus as well as disagreement with management on examination timetabling. For example, in January 2014, Lagos State University (LASU) was closed down indefinitely because of

> a violent protest by students over the registration process for the rain semester examination. The students had gone on the rampage over the inability of many of them to access the school portal to register for the examination (Durojaiye & James, 2014).

The closure of LASU lasted for one month as the institution only resumed on February 24/25 2014 on the instruction of the proprietor government (Akinsanmi, 2014). At the time LASU students protested over the online registration for the rain semester examination; students at the Federal University, Otuoke, Bayelsa State also forced the closure of their institution over alleged fee increases, an allegation which the Vice-Chancellor denied (Akinsanmi, 2014). Students' protests have not been limited to democratic eras or to issues that directly relate to higher education as the examples above may suggest. In the immediate post-independence era, they successfully protested the signing of a defence pact with Britain and compelled the Federal Government to repudiate the pact in 1962 (Odion-Akhaine, 2009). They also protested other

policies which they deemed inimical to democracy. For example, they "coordinated various demonstrations, boycotts of lectures, and protests over issues regarding government policies on education, the general welfare of Nigerian students, and some other issues that affected the society at large" (Bukola Akintola, 2010, p. 105). When in 1963, the Federal government initiated measures to introduce preventive detention and to abolish the independent Judicial Service Commission (charged with the appointment, promotion, and discipline of judges) with the aim of bringing the appointment of judges under direct political control, students were in the vanguard of protests that forced the abandonment of the proposal (Bukola Akintola, 2010).

Military dictatorship did not deter students from embarking on protests and demonstrations either. In the pre-military era, students' protests were essentially peaceful as the students "were largely able to reach a compromise with the relevant authorities without resorting to violence" (Bukola Akintola, 2010, p. 106). In 1971, students at the University of Ibadan protested over feeding related issues, demanding the removal of the manageress "for alleged corruption, inefficiency, poor productivity, and poor public relations" (Bukola Akintola, 2010, p. 106). Their normal methods of petitioning and hunger strikes did not elicit a satisfactory response from the vice-chancellor and so they staged a protest to press home their demand. The vice-chancellor then called in the police who used extreme force, resulting in the killing of Kunle Adepoju. In 1978, still under military dictatorship, this time under General Olusegun Obasanjo, Nigerian students, under the banner of the National Union of Nigerian Students (NUNS), confronted the government over "the funding of education, an increase in tuition and accommodation fees, and the presence of soldiers in schools to enforce discipline' as well as 'the scrapping of car loans for graduating students" (Bukola Akintola, 2010, p. 107). NUNS's demands included

1. The reformation and democratization of education;
2. Education should be made a right and not a privilege;
3. Education should be made a popular commodity and not an exclusively elitist luxury;
4. Education should be free and compulsory at all levels (Bukola Akintola, 2010, p. 107).

Failure to resolve the issues raised by the students through dialogue resulted in the famous "Ali Must Go" crisis in which students demanded the sacking of the Federal Education Minister, Col Ahmadu Ali. At variance with the explanation of the students about the reasons for the protests is that of Dr Ahmadu Ali, the man at the centre of the crisis. In an interview with Vanguard Newspapers following the death of Mr Segun Okeowo, the President of the National Union of Nigerian Students at the time, Dr Ali explained the crisis as follows:

> In the demonstration that happened in 1978, the students were told that instead of having their free accommodation in the university and their meal was still N1.50k, and because there was not much money, it was thought that they should make more contributions by adding 50 kobo to the cost of the meal per day. That's all; that was the cause of the demonstration.
>
> I tried to make them see reason. Being a former secretary-general of the National Union of Nigerian Students, NUNS, I always sympathised with them.
>
> They held a meeting in Ilorin, I went there. They held a meeting in Maiduguri, I went there and talked to them. When they decided to hold a secret meeting in Calabar to challenge the government, I didn't know again. But the Ministry of Education was not the one that did the increment; it was done by the Supreme Military Council, which is the body that was above the Federal Executive Council." (Adeseri, Umoru, & Olatunji, 2014)

Dr Ali implies, going by the quotation above, that the students did not want dialogue to succeed, possibly, in order to have maximum impact on the system. It is instructive that secondary school students were also mobilized to participate in the Ali-Must-Go protest (Personal Interview with Omololu Fagbedabo 2014/12/2). In the course of this crisis, NUNS was proscribed and its leadership detained; soldiers were deployed to university campuses and many students were killed (Adejumobi, 2000; Bukola Akintola, 2010).

In the mid-1980s and early 1990s, university students took the lead in the fight against the Structural Adjustment Programs (SAP) of the World Bank and the International Monetary Fund. Thus, in May 1986 students of Ahmadu Bello University Zaria demonstrated against SAP in the

course of which 11 students and bystanders were killed by security forces (Bukola Akintola, 2010, p. 108). Two years later, in April 1988 students at 33 universities protested against fuel price increases, and in May 1992 students at the universities of Lagos and Ibadan protested against the implementation of SAP. It can indeed be said that students want what they want and nothing will deter them from fighting for what they want.

Students have volition which sometimes moves them to pursue interests in opposite directions to those of their educational institutions and the wider society. Oftentimes, they organize and form associations for the pursuit of their interests and make demands on their institutions and the entire higher education system and thereby bring about changes in the conditions of their education. They invariably have opinions and preferences on how they should be treated or regarded and make demands on the proprietors and managers of higher education institutions as well as the government and society on rights and privileges for themselves. In other words, students are politically conscious and by reason of their organizing politically to pursue their common interests, constitute a class, a class "for itself" (Ake, 1978, p. 62). But does the objective condition for the classification of students as a class exists? In other words, can students be defined in relation to the ownership of the means of production? The vast majority of higher education students doing undergraduate degrees are dependent on parents. Therefore students belong to different objective classes through their parents, that is, they belong to the classes to which their parents belong. They do not have a direct relationship to the means of production either as owners or workers. However, they are usually but questionably identified with the progressive forces in society because of their struggle for change and are to that extent, a common ideological class. The educational process at the tertiary level also requires them to develop their intelligence and relational capabilities and not just acquire or imbibe knowledge produced by others. They thus are able not only to participate directly in their own education but to also impact educational processes of nations in epochal ways.

This chapter presents the ideas and conceptions students in higher education institutions hold about corruption. It attempts to articulate a students' concept of corruption. It presents and evaluates students' concept of corruption, addressing the second research question of the study,

"How do students of higher education institutions understand and define corruption?" It begins with a discussion of their idea of corruption in general and progresses through their concept of higher education student corruption to the identification of the forms and structures of higher education student corruption as well as their explanation of why students participate in corrupt practices.

6.2 Students' idea and concept of corruption

What do students of higher education institutions understand and mean by corruption? The focus group discussions with students began with the question: "What does corruption mean to you?"

According to Dormaels (2010, p. 221), people relate to the word corruption at three different levels. First, "corruption is considered as a term which needs to be defined' by 'a conscious reflecting person".

> On the second level, the word corruption is used as a label to demarcate a variety of situations within an ontological reality. … On the third level the word corruption is used to judge a concrete particular situation or a description of a concrete particular situation as corrupt or not (Dormaels, 2010, p. 221)

In one institution[45] the participants in the focus group discussion asked the facilitator to explain the meaning of corruption before they could respond to the question. In a country where the media is always awash with stories and reports of official corruption, this in itself is surprising - that tertiary institution students would require an explanation of the meaning of corruption before they could participate in a discussion. But it could also suggest recognition of the fluidity and elasticity in the usage of the concept of corruption, that is, the absence or lack of precision about what corruption is. The request for a clarification may also be seen as a reflection of the use of corruption as a catchphrase or label to designate unapproved conduct. Thus, in the fight against corruption, especially political corruption, people under investigation and prosecution for

---

[45] This was at the Federal University of Technology, Akure

corruption tend to deny any wrongdoing and to claim that their ordeals are politically motivated. For example, corruption charges against Julius Malema were acclaimed to have been politically motivated by his lawyer even without seeing the charge sheet (David Smith, 2012); and on his appearance in court over corruption and money laundering charges, Mr Malema claimed that his trial was the outcome of a conspiracy among his political opponents **(Sapa, 2013)[46].** In this regard, one may also note that the trial of Jacob Zuma for corruption was adjudged to have been politically tainted. According to the National Director of Public Prosecutions, the case was dropped because of "collusion between the former heads of the Directorate of Special Operations (DSO) and NPA to manipulate the prosecutorial process before and after Polokwane elections" (NPA, 2009). President Thabo Mbeki, in his letter of resignation, also makes reference to his government being opposed to corruption suggesting that his recall as state president meant the ascendancy of the forces of corruption. According to Mbeki, his national executive council was handing down "a tradition of honest government which is firmly opposed to corruption, duplicity and disrespect for principle" (Mbeki, 2008). While the members of Mbeki's cabinet may agree with him, President Jacob Zuma does not want to face corruption charges because "corruption is only a crime in a Western paradigm" and it is a crime in which there is no victim (Plessis & Plessis, 2014). In Nigeria, investigation and prosecution by the EFCC of politicians perceived to be opponents of a sitting president is often said to be politically targeted (Isike & Idoniboye-Obu, 2011). It has been necessary to speak to the issue of corruption investigations being attributed to political witch hunting because similar reasoning is common among students. But in all the other institutions the participants proffered ideas about what corruption means to them.

This section addresses the research question: "How do students of higher education institutions define and interpret corruption?"

This research question requires the formulation of a students' concept of corruption. The definitions are derived from the focus group discussions and a secondary questionnaire administered in some institutions in the South-West geopolitical zone where it was not possible

---

[46] See and cite "Malema claims he is victim of a conspiracy" "Julius Malema faces arrest on corruption charges"

to hold meaningful focus group discussions while the examples of corrupt practices were elicited through questionnaires. The approach to building up what students and staff of higher education institutions call corruption here is narrative and discursive.

> *Definition1: I think corruption to me is any unhealthy **attitude** that has **ravaged** a particular environment or society that is not supposed to be, ranging from **the higher level of authority to lower level of authority**…unhealthy attitude is habit or act that is not supposed to go on in a particular society… **anything that is contrary to the constitution binding that set of people** is what I term as corruption (Uniport Student, Male) [emphasis added]*

> *Definition2: Corruption as I see it is a **misuse of public position by those occupying these positions**. What I mean by misuse of public position? Like I being the SUG Secretary, I am holding a public position. If I begin to act contrary to the things I was voted for, what I am practicing becomes a corrupt practice… When a leader begins to put forth **a behaviour that is contrary to the norms that certain group of people, the leader will be termed as a corrupt leader**. That is how I see corruption (Uniport student, male) [emphasis added]*

> *Definition3: Corruption is **cutting corners in order to get things done** (Secretary-General, SUG, Uniport) [emphasis added]*

> *Definition4: Corruption can also be seen as a **dishonest act especially when it has to involve bribery (Uniport)** [emphasis added]*

> *Definition5: **Changing** from a moral attitude to an immoral attitude…that is from being good to being somebody that is now bad doing things that are not fitting (Kehinde George, male, Uniport) [emphasis added]*

> *Definition6: Corruption is **working against** the **ethics** of a particular organisation or society (Davis Chikezie, male, UNN) [emphasis added]*

The above excerpts from the focus group discussions show that students are not without their own ideas and conceptions of corruption. The definition of the participant who proffered the first definition above may be reformulated as follows:

> *Corruption is an **unhealthy attitude** among **people in authority** which **ravages** a particular social environment **contrary to the expectations** of the members of such society as enshrined in their constitutions, laws, customs, conventions, and norms.*

We shall now attempt bringing out the elements of corruption contained in Definition1.

The first thing to note about Definition1 is that it conceives of corruption as a negative behaviour of people. It is defined as "any unhealthy attitude". According to Definition1 corruption is **"unhealthy attitude"** by public officers. Unhealthy attitude is defined as *"**habit or act** that is **not supposed to go on** in a particular society… **anything that is contrary to the constitution binding** that set of people"*. If we take this formulation in a literal sense, for behaviour or conduct to be corrupt, it must be habitual, not once off. This claim is based on the emphasis the author of Definition1 placed on the word attitude as reflected in the need to explain it and the words used in that explanation. An attitude is a "complex mental state involving beliefs and feelings and values and dispositions to act in certain ways" (Okome, 2013). The disposition to act in certain ways is what makes attitude habitual. This theme of doing something contrary to the constitution or such other agreement or even electoral promises is echoed in Definition2's elaboration of the meaning of "misuse of public position". The author of Definition2 explains misuse of public position thus

> *What I mean by misuse of public position? Like I being the SUG Secretary, I am holding a public position. If I begin to act contrary to the things I was voted for, what I am practicing becomes a corrupt practice…*

The second key idea of Definition1is the ***centrality of the possession of power or authority to corrupt practice***. Corruption is conceived as unhealthy attitude by **public officers.** In other words, having authority is fundamental to corrupt behaviour. Definition2 also emphasizes the element of authority in the definition of corruption. Definition2 elaborates the meaning of corruption as follows

> *Corruption as I see it is a **misuse of public position by those occupying these positions**. What I mean by misuse of public position? Like I being the SUG Secretary, I am holding a public position. If I begin to act contrary to the things I was voted for, what I am practicing becomes a corrupt practice […]. When a leader begins to put forth **a behaviour that is contrary to the norms of a certain group of people, the leader will be termed as a corrupt leader**. That is how I see corruption (Uniport student, male)*

For the authors of Definition1 and Definition2, public office is central to committing corruption. Their concept of public office is however very broad and includes authority structures in private organizations as well as public organizations. A public office holder is akin to a role occupant who is expected to play by certain rules in designated ways such that it is possible to tell when the role is being played well and when it is being played badly; when performance meets expected standards and when it does not. So, though students may couch their definition of corruption in public office terms, their concept of public office does not necessarily connote governmental offices.

A third key idea that comes out of the definitions students provide for corruption is that of corruption being a *negation*. This is what underpins the idea of corruption being contrary to the norms that a certain group of people expect their leaders to uphold. Students' concept of corruption assumes the existence of some standard departure from or negation of which constitutes corruption. For the student respondents, the referent standard may be the constitution governing activity of the relevant group or a commitment to perform particular tasks or behave in some specified way. Thus Definition1 speaks of "***anything that is contrary to the constitution binding that set of people"*** and Definition2 uses the "things I was voted for" as the referent standards deviation from which constitutes corruption. **Electoral mandate** therefore also constitutes a reference standard for defining conduct as corruption. Definition6 also conveys the same idea of acting contrary to a referent standard, in this case, the **ethics** of the organization of which the corruptor is a member.

The fourth element in the above definitions is the origin and direction of flow of the behaviour described as corrupt. This element is very closely related to the second element but is separated for discussion because it has implications for how students view and relate with institutional authorities over corrupt practices. Corruption is said to range from the ***top down*** –"*ranging from the higher level of authority to lower level of authority".* The idea of corruption as an unhealthy attitude which ranges from higher level of authority to lower level of authority is fundamental to understanding how students may respond to corruption. This suggests that corruption starts at the top and therefore corruption by lower level officials in an organization may not be reported to

supervisors since the attitude in question is assumed to be characteristic of authority structures in the organization. The idea not only suggests that corruption requires authority structures for its perpetuation but also that it originates in authority structures:

> *I think corruption to me is any unhealthy attitude that has ravaged a particular environment or society that is not supposed to be, ranging from the* **higher level of authority to lower level of authority** *[emphasis added]*

Another element in students' concept of corruption is its deleterious effect implied in the use of the verb '**ravage**' by the author of Definition1. To ravage is to destroy, waste, devastate, or ruin as by fire or disease. Thus the phenomenon is also defined by its consequences. However, from the examples of corrupt conduct listed by some of the respondents, it is difficult to see how they could 'ravage' anything except in a moral sense. Among such examples of corrupt conduct are sexual immorality, sexual orientation, premarital sexual relationships - "couples' life", and indecent dressing. In other words, there is a disconnect between the concept and the phenomena it is used to describe. This is especially so because in Nigeria, particularly in the higher education institutions, people in responsibility roles generally dress formally and conservatively. Nonetheless, other examples of corruption easily fit into the mould of having ravaging effects. Such forms of corruption include examination malpractice, theft, and membership of secret cult among others. Examination malpractice, for example, can render educational qualifications worthless while even minor theft could lead to depletion of resources and dilapidation of physical infrastructure.

A sixth element in the above definitions worth mentioning is in Definition5. Corruption is defined as change in behaviour. According to this respondent, corruption is "*Changing from a moral attitude to an immoral attitude…that is, from being good to being somebody that is now bad, doing things that are not fitting".* Corruption is thus a change involving moral degeneration. The change also involves doing what is wrong instead of what is right. This is implied in the phrase "doing things that are not fitting". So corruption involves moral degeneration as well as wrongdoing. The formulation of corruption as wrongdoing makes it measurable in relation to set

standards which may be contained in laws, rules, or regulations and which infraction can be determined by competent courts or administrative structures.

Related to the conception of corruption as change in behaviour from moral to immoral, from good to bad, and from right to wrong is the idea of corruption as opposition. Definition6 sees *corruption as "**working against** the **ethics** of a particular organisation or society".* Working against the ethics of a society may imply a rejection of what that society stands for, non-acceptance of its values and norms as well as laws. Corruption then becomes an attempt to undermine, not just break, the laws governing a society for material gain but an ideological opposition containing in it the seed of a new society. So conceived, corruption can be seen as a strategy for social or political change. It can also be seen as a mechanism for self-help. Unethical conduct in colonial civil service in Nigeria has been interpreted in this light.

> Working under the confines of the organisational rules and regulations, the native Nigerians, no sooner than later, realised that there existed discrepancies between their inputs and their rewards, with their perceived inputs being higher than their remunerations. To reduce inequity arising from input-outcome discrepancies and tacitly resist the perceived exploitative tendencies of the colonialists, Nigerian employees at the time embarked on questionable ethical behaviours such as embezzlement, pilfering that earned them reward related vantage position (Ercegovac & Richardson, 2004, p. 20).

The attitude depicted in the above epigraph still exists among certain professionals and is used to justify the behaviour of such professions as teachers/lecturers and the police.

Corruption was also defined as "cutting corners in order to get things done". This echoes the revisionist concept of corruption as efficiency enhancer which was propagated by some economists. Corners may be cut in different ways in the different areas in which corruption can occur. In examinations, it may take the form of copying into an examination, obtaining the question paper in advance of the examinations – leakage of papers, paying the lecturer for the desired grade, impersonation - sorting, etc. When a student decides to engage in any of the above

practices rather than study for his/her examinations, s/he can be said to be cutting corners. Likely reasons for cutting corners are examined in Section 7 of this chapter.

The foregoing discussion shows clearly that students think reflectively about corruption. However, they use the concept to refer to a wide range of phenomena some of which have no shared characteristics except the common label of corruption. The phenomena they regard as corruption include indecent dressing, fighting, theft, absenteeism, prostitution, sexual immorality, sexual orientation, insulting a lecturer, stealing and examination malpractice. In fairness to them, they are not alone in using the concept to refer to disparate conduct. The political class is adept at doing this as the frequent denial of wrongdoing even by those found guilty by a court of law show.

How do students' ideas and conceptions of corruption compare with those of other stakeholders in higher education institutions? The focus group discussion with non-academic staff at the University of Port Harcourt yielded the following views:

> kind of attitude that are contrary to the norms, normal things, normal expectation; doing things that are not straightforward so to say; trying to get things done sometimes in a dubious way, extract things that ordinarily do not follow the normal, call it, process or procedures that are acceptable in the society (Uniport Staff, female).

> When the acts performed by people are not consistent with the societal values, such acts are corruption. Doing things that does not agree with the normal those are corruption (Uniport Staff, male).

The above views are similar to those expressed by students in that corruption is seen essentially as a deviation from a norm. Another male participant defined corruption as "doing things the wrong way". When interrogated about whether how widespread a practice is makes it right, he implied that right referred to lawful acts. Corruption then becomes the abuse or illegal use of authority, as for example, when police mount checkpoints, ostensibly to uncover criminals but in reality, to extort bribes from commercial bus drivers. The participants at this focus group agreed

that both the police and the drivers are guilty of corruption. Corrupt phenomena mentioned by staff are also similar to those of the students. These include stealing, cheating, pre-marital sex, disobedience to rules and regulations of the university, bribery, sexual harassment, lateness to work, and cultism among others. But Students' concept of corruption is far from both the official and scholarly concepts of corruption. It tends to be broader, encompassing criminal and immoral as well as objective and subjective conduct.

6.3 Higher Education Student Corruption

Higher education student corruption is taken in this study to refer to behaviours of students that they (the students), and staff of higher education institutions consider corrupt in the context of the educational processes of higher education institutions. In Chapter One it was defined in the following terms

> corrupt behaviour on the part of a student within the general institutional framework membership of which defines him as a student. Behaviour is corrupt by reason and to the extent of its deviation from the expected legal and social norms [standard patterns of behaviour considered normal in a tertiary or higher education institution and which are often contained in students handbooks and ethics codes] and morality.

Its defining characteristic is that it is perpetrated or driven by students in the context of higher education institutions. Unlike other forms of corruption in the higher education sector, it requires a role rather than an office for its perpetration. However, it is more of a judgemental label or descriptive tag than a definition. It can be regarded as a definitional concept only in a highly denotative sense. In other words, higher education student corruption refers to practices and attitudes which students, staff, and lecturers in higher education institutions regard as corrupt. This approach to defining the phenomenon resonates with the public opinion perspective on the definition of corruption whereby corruption is what a relevant public says it is or believes it to be. The definitions are derived from the focus group discussions and a secondary questionnaire administered in some institutions in the South-West geopolitical zone where it was not possible to hold meaningful focus group discussions while the examples of corrupt practices were elicited

through questionnaires. The approach to building up what students and staff of higher education institutions call corruption here is narrative and discursive.

6.4 Prevalence of higher education student corruption

Prevalence of higher education student corruption refers to the actual and perceived spread and pervasiveness of corrupt behaviour among students. Prevalence also focuses on the perception and attitude of students and staff towards corruption among students of higher education institutions.

This section addresses the second research question of this study, namely, "How pervasive is higher education student corruption, and which are its most prevalent forms?" To address the above research question, students were asked to describe the culture of their institution vis-à-vis corruption. They were invited to respond to the following item which appeared on the data collection instrument:

> If institutional culture is defined as "the totality of the set of beliefs, values, attitudes, and practices which regularly inform and make meaning of conduct in an organization", would you describe the culture of your institution as corrupt? YES/NO. Please explain

During the focus group discussion students were also asked the question "would you say there is corruption in your institution?" Furthermore, both the questionnaire and the schedule for the focus group discussion invited participants to mention behaviour, conduct, or practices which to them constitute corruption. Respondents were not directly asked to estimate the spread of corruption because it was felt their responses to the above items will provide sufficient indication about how prevalent corruption is in their respective institutions. (And so what follows is the researcher's analysis of their responses to the above questions.)

6.4.1 Description of institutional culture

Institutional culture refers to "common ideas, values, and standards that permeate the everyday lives of its members, and that are perpetuated by institutional indoctrination, actions, and leadership" (Simone, 2009, p. 5). It is "grounded in the shared assumptions of individuals

participating in the organization" (Tierney, 1988, p. 4). Institutional culture is often taken for granted by organization members so much so that they become aware of it after they may have breached it. Tierney further contends that organization members "tend to recognize their organization's culture only when they have transgressed its bounds and severe conflicts or adverse relationships ensue" (1988, p. 4). Institutional indoctrination may entail the development of a common self-concept among the members of an organization. The agencies of institutional indoctrination in the higher education sector include orientation programmes and matriculation ceremonies for freshman and women and the promotion of vision and mission statements. Organization self-concept may sometimes be reflected in the motto of an institution. At one of the FDGs at Uniport, one participant had this to say about the image students and alumni of the institution have of themselves:

> one thing with the University of Port Harcourt is that we solely believe in self-reliance Yes, enlightenment and self-reliance. That is the motto of our institution so that as we go out of the four walls of this institution, we can proudly say that we are students of the University of Port Harcourt and we are proud to be students of the University of Port Harcourt (Uniport, male).

Such pride in one's institution may likely affect responses of respondents on corruption in their institutions and it was not surprising therefore that many respondents skipped the item "would you describe the culture of your institution as corrupt?

It is common to hear students and alumni of Nigerian universities refer to themselves as "great…" in saluting one another. For example, students and alumni of the University of Nigeria refer to themselves as great lions and lionesses while those of the University of Ibadan refer to themselves as "greatest Uiite". Simone argues that "institutional culture has profound impact on" the behaviour of organization members (2009, p. 5).

Sixty-two per cent (315 out of 481) of the student participants responded to the item "would you describe the culture of your institution as corrupt". This gives a response rate of 65.5 per cent. About 34.5 per cent (166) of respondents failed to respond to this item. The following discussion is based on the number of participants who actually responded to the item, that is, 315 and not the total number of students who participated in the study.

While 300 students or 95.2 per cent provided categorical or unqualified negative or affirmative responses, 5 students or 1.6% maintained a neutral position while ten students or 3.2 per cent of the respondents provided qualified responses. A slight majority (51.7%) of those who gave unequivocal responses affirmed that the culture of their institution was corrupt. If those who described the culture of their institution as partly corrupt is added to those who answered in the affirmative, the majority increases to 54.9 per cent. Thus from the point of view or opinion of the students, their institutions are corrupt and we can therefore surmise that corruption is fairly widespread. The response pattern to the item is presented in a bar chart below

Figure 6.1 Students' Description of Institutional Culture

Would you describe the culture of your instittution as corrupt?
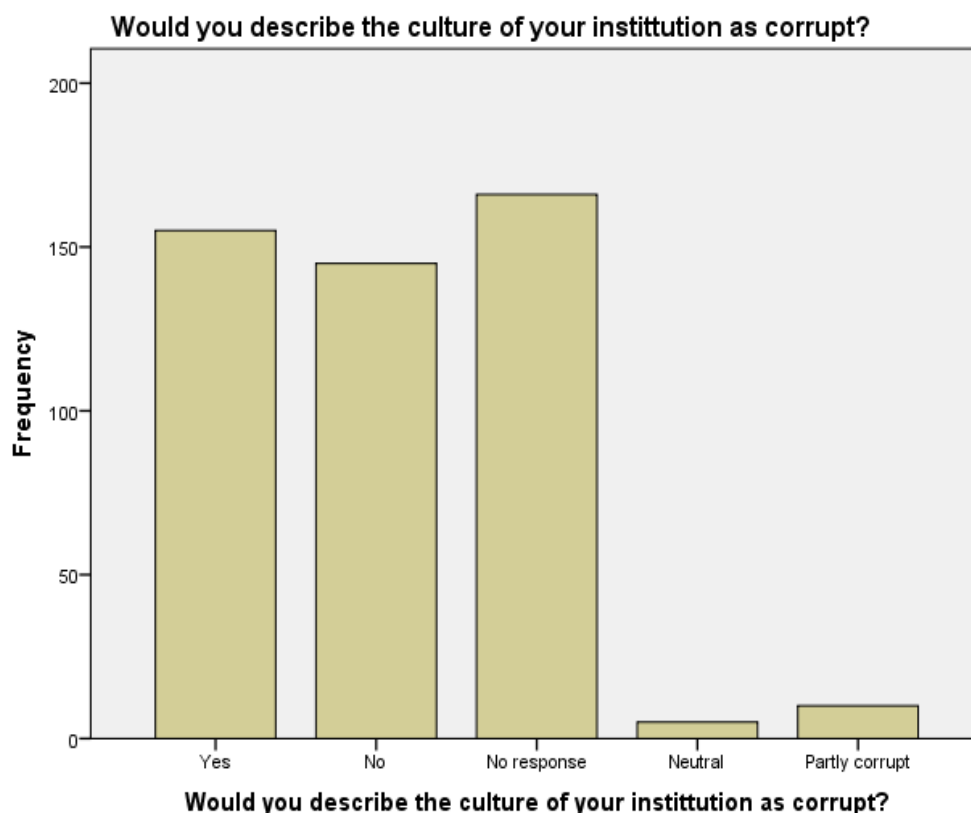
Overall, a slight majority of students who responded to this item described the culture of their institution as corrupt. However, there are subsector differences of opinion across the universities, polytechnics, and colleges of education. In the university and polytechnic subsectors, a small

majority of students described the culture of their institutions as incorrupt while in the college of education subsector, a large majority of students described the institutional culture as corrupt. It is worth emphasizing that the response rate to this item among the three types of institutions also differed across the various institutions.

Table 6.1 Description of culture of institution by Higher education institution

Name of institution	Would you describe the culture of your institution as corrupt?				Total
	Yes	No	No Response	Partly corrupt	
ABU Zaria	18	44	18	0	80
FUTA	10	3	33	3	49
RSUOE, Rumuolumeni	9	5	1	0	15
UNN	41	49	18	1	109
Uniport	16	2	20	1	39
OsunPoly	12	3	26	0	41
RivPoly, Bori	8	20	8	0	36
FCE Zaria	10	12	4	0	26
FCE (T), Omoku	2	7	2	0	11
OsunCOE	37	5	6	0	48
Total	163	150	136	5	454

For example, a majority of all respondents at Ahmadu Bello University described the institution as incorrupt. Out of the 81 respondents who participated in the study at this institution, 71.6 per cent or 58 participants answered the question: would you describe the culture of your institution as corrupt? Out of this number, 45 students (or 77.6% of those who answered the question) gave an unequivocal 'no'. This means that students do not see the culture of ABU as corrupt. Similarly at the University of Nigeria a majority of respondents described the culture of university as incorrupt. However, a majority of respondents at the Federal University of Technology, Akure and the University of Port Harcourt were of the opinion that the culture of their institutions was corrupt. The perception of the culture of FUTA as corrupt is worth highlighting because it was at this institution the researcher was denied official access because of

the subject matter of his investigation. Given that ABU, UNN, FUTA, and UNIPORT are all federal government institutions, type of ownership does not seem to have any association with whether or not the culture of an institution will be corrupt with regard to the universities.

With regard to institutional variations in the polytechnic sector, one of the polytechnics was described as corrupt and the other as not corrupt. Thus a vast majority of the respondents at Osun State Polytechnic who answered the question said the culture of their institution was corrupt.

Does the description of the culture of university, polytechnic, or college of education as corrupt have any connection with the prevailing culture of corruption in the locality of the institution? This is one of the most important questions that need to be addressed. The observation has been made that students tend to derive their concept of corruption from students' handbooks and to hold themselves accountable for actions of which they are victims. They also seek to explain corruption among students by reference to corruption in the wider society especially among politicians and other public officials.

6.4.2 Perception of corruption

One of the questions participants addressed at the FGDs was "Would you say there is corruption in your institution?" This question was explained by means of a supplementary question: "Are there things in this institution that you would describe as corrupt?" A third related question was "Can we have conducts by students you will describe as corrupt? Examples of conducts by students you will describe as corrupt". The response to the first question was a resounding yes.

Another item which students were invited to respond to comprised seven behavioural patterns indicative of the presence or absence of corruption in the admission processes into their institution. They were asked: "Which one of these is one likely to encounter in seeking admission in your present institution?" and provided with the response sets in Table 6.2

Table 6.2 Possible Admission Encounters

Admission Encounter	Likely	Not Likely	Total
Demand for bribe			
Bureaucratic red tape			
Unsolicited intervention (help)			
Need for 'connections'			
Secrecy about process			
Parental involvement			
Openness and transparency of procedures			

Access is one of the three key corruption arenas in higher education, the others being equity and quality. It is also the gateway to higher education institutions. Corruption in access is not only a reflection of corruption in the higher education institution concerned but is also an indication of corruption in the surrounding environment. In other words, corruption in access signifies the existence of a culture of corruption. The above item therefore interrogates whether students encountered corruption at the very gate of higher education institutions. They were provided with a response set of 'likely' or 'not likely' to each of the seven dimensions in the table.

A response of 'likely' in respect of the first six dimensions suggests the existence of corruption in the admission process. A response of 'not likely' in respect of 'openness and transparency of procedures' also means that access to higher education is susceptible to corruption. The likelihood of 'openness and transparency of procedures' should imply the unlikelihood of 'secrecy about processes'. Therefore, these two dimensions are expected to move in opposite directions; increase in one should imply a decrease in the other. In the unlikely event of a respondent claiming a likelihood of "secrecy about the admission process" as well as "openness and transparency of procedures", this could be taken as an attempt at hiding the truth about the admission processes of the respondent's institution. In particular, it may suggest some form of malpractice in the respondent's admission to his/her institution.

Table 6.3 captures students' responses to this item, showing that the rate of response to this item was rather low as the scores inserted in the cells show. Given that there were 481 respondents, the response rate per encounter ranged between 30 and 48 per cent.

Table 6.3: Admission Encounter

Admission Encounter	Likely	Not Likely	Total
Demand for bribe	88	116	204
Bureaucratic red tape	73	75	148
Unsolicited intervention (help)	85	74	159
Need for 'connections'	170	61	231
Secrecy about process	73	69	142
Parental involvement	103	73	176

An examination of the response pattern reveals that a majority of those who responded to the question of whether an admission seeker is likely to encounter demand for bribes or bureaucratic red tape answered in the negative. A large number of respondents also claimed that admission seekers are likely to encounter 'unsolicited help' and a 'need for connection'. 'Unsolicited help' refers to an attempt by current members of the higher education institution, whether or not they are occupying power positions, to create social capital. Current institution members may range from security guards who man the entrance or gate of higher education institutions to students, staff, and lecturers. 'Need for connection' may be seen as the application or expenditure of social capital in the admission process. Need for connections may also be seen as the exercise of patronage. It matters whether the candidate has a relation who could exercise some kind of influence on his/her behalf. It is quite instructive that in all the institutions covered in this research a majority of the students felt a need for connection in the admission process. This finding corroborates that of Willott (2011) about the importance of "unofficial" channels in the admission process into Nigerian universities. According to him, "access to higher education institutions that are formally governed by "official" regulations is frequently achieved through "unofficial" avenues such as personal connections and money" (Willott, 2011, p. 89). The bar

chart below (Fig.6.2) presents the pattern of response on the need for connections. It can be seen that the need for connections is a country wide phenomenon.

Figure 6.2 Corruption Encounters: Need for Connection
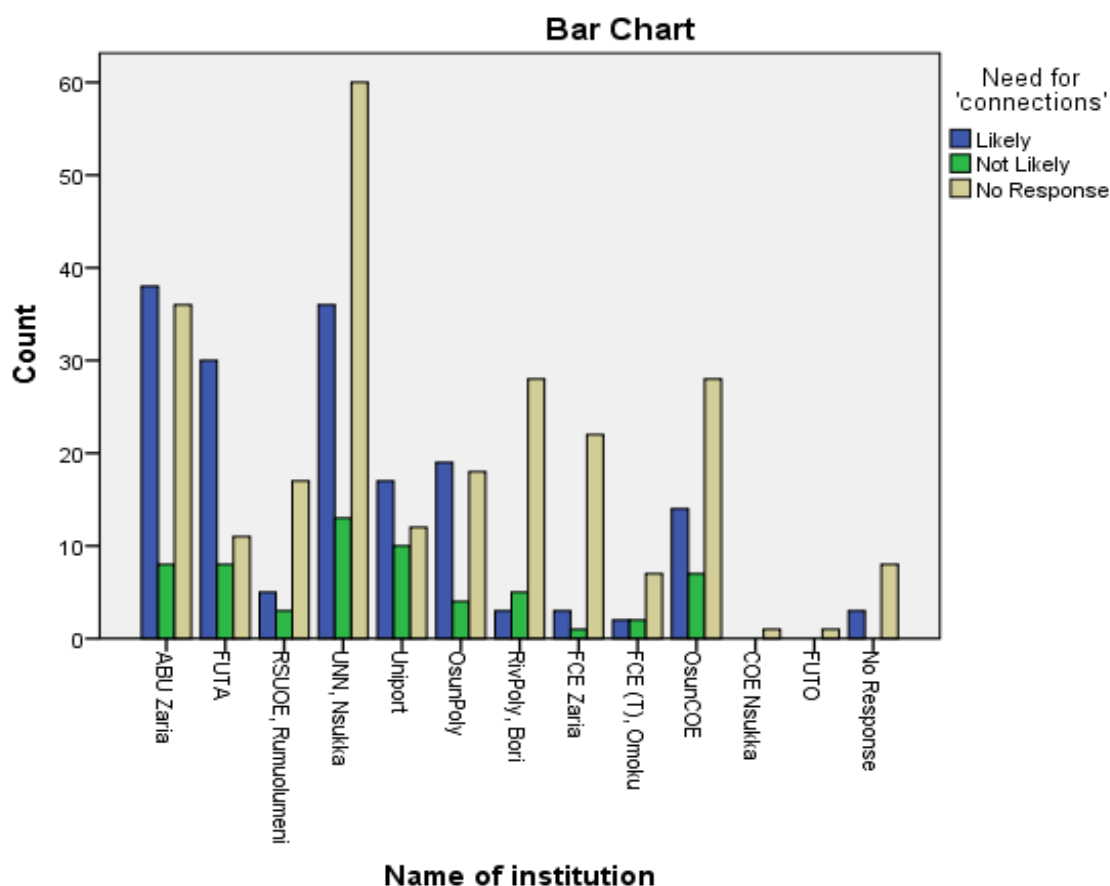
A majority also believe that the admission process is shrouded in secrecy. The data thus suggest opacity of procedures in the admission process. Furthermore, 59 per cent of the students reported that parents were involved in seeking admission for their children. A need for connection and parental involvement plus existence of secrecy around the admission process may be interpreted as suggesting that even if bribes were to be demanded, the possibility exists for the student to be ignorant of them.

The students were also asked to assess the process of admission into their institutions in terms of whether it is free from corruption or not. The pattern of response shows that the students, in general, considered the admission process to be free from corrupt practices. There were 459 valid responses on this item. 268 or about 56 per cent of the respondents adjudged the admission process to be free. A related item invited respondents' views on the fairness of the admission process. Again, a majority of respondents, 62 per cent of the valid responses adjudged the admission process to be fair. This conclusion is also supported by their response to the item: "Considering your experience, is it possible for a less qualified person to be admitted in place of a better qualified one?" This item elicited one of the highest response rates of all the items in the questionnaire as 456 out of 481 participants or 95 per cent answered the question. Forty-six per cent of all the participants were of the view that it was possible for a less qualified candidate to be admitted in place of a better qualified one while 49 per cent believed such a situation could not occur. The conclusion to be drawn from the empirical data regarding the freeness and fairness of the admission process is that it is free, fair and merit-based. In other words, from the students' perspective, the access to higher education is largely incorrupt. But this response pattern on this subject may also be viewed as an attempt to protect the reputation of their institutions and the integrity of their admission into those institutions.

However, the evaluation of the admission process by the participating students contradicts their responses to items eliciting the presence or absence of corrupt practices such as those in Table 6.3 above. In particular, the opacity of procedure in the admission process referred to earlier and the strong "need for connections" in the higher education institution speaks to a corrupted admission process. The overall assessment of the admission process as free from corruption by the students could therefore be interpreted as a defensive mechanism aimed at preserving the integrity of the respondent since a conclusion on his/her part about the admission process being corrupt could imply their having gained admission corruptly.

6.5 Structures of higher education student corruption

In this study, the term 'structures of corruption' is used in a specialized sense. Structures of corruption refer to opportunities for corrupt conduct as well as institutional roles and rules which

may give rise to or condone corrupt behaviour. Structures of corruption denote the context in which corruption is encountered and the activities that may involve or that can be corrupted. Osipian (2007a, p. 316) identifies structures of corruption with "areas and functions susceptible to corruption". The opportunities for corruption may be practices, conventions, traditions, customs, interactions, and such like which in themselves do not constitute corruption but can become abused and therefore produce corruption. One such common practice or institution in traditional African society is that of gift giving or gift exchange. In higher education, examinations provide a perfect example of structure.

There are ample opportunities or conditions conducive to corrupt behaviour in the education systems of nations. Hallak and Poisson (2007) identified 10 areas of educational planning and management in which major opportunities for corruption exist in the education sector. The various areas and the corruption opportunities they provide were presented in Table 2.5 in Chapter Two. It may perhaps be necessary to refresh the reader about those areas and opportunities before discussing the structures of higher education student corruption.

The major areas Hallak and Poisson (2007) identified are finance; allocation of specific allowances such as fellowships and subsidies; construction, maintenance, and repair of school buildings; distribution of equipment, furniture and materials including transport, boarding, textbooks, canteens and school meals; writing of textbooks; appointment, transfer, promotion, payment and training of teachers; teacher behaviour; information systems; examinations, diplomas and access to higher education institutions; and the accreditation of universities, colleges, and polytechnics. In the area of finance, they identify the major opportunities or structures of corruption as the transgression of rules and procedures, bypassing of criteria, inflation of costs and activities, and embezzlement. It should be emphasized that Hallak and Poisson conflated opportunities or structures of corruption with forms or patterns of corruption in the examples they cited and that their discussion does not involve students as drivers. However, finance, one of the areas they highlighted, provides opportunities for corruption among students. In their responses to the questionnaire and in the focus group discussion, embezzlement of student union funds and printing of illegal receipts featured prominently.

Examinations provide a context for corruption to occur and when this happens, the occurrence is referred to as examination malpractice. An examination in the context of education as schooling is a structured exercise designed to test progress, qualification, knowledge, or skill acquired in the course of the educational process. The test may be internally or externally administered and controlled and be subject to varying degrees of quality assurance processes and procedures such that the outcome of the said examination becomes a legal tender in the employment market. Examinations constitute a mechanism for selecting people on the basis of some predetermined criteria. Examinations provide a basis for certification and selection. The centrality of examinations in the educational process can therefore not be contested. Examinations are governed by rules which specify who may participate in them. The rules also stipulate appropriate conduct for all. Thus the Examination Malpractices Act of 1993 governs the conduct of all examinations which may lead to the award of an educational qualification - certificates, diplomas, and degrees - in Nigeria. It is conduct contrary to what is considered appropriate that is considered an examination malpractice.

Arising from their importance, examinations provide context for corruption but the eradication of corruption in examinations does not require doing away with them. Corruption in examinations finds expression as examination malpractice. Examination malpractice has been

> defined as all forms of cheating which directly or indirectly falsify the ability of the student [They include] cheating within an examination hall, cheating outside an examination hall and any involvement in all illegal related examination offences (University of Port Harcourt, 2008, p. 19).

The definition above tends to equate examination malpractice with cheating but the Examination Malpractice Act has a broader view. The Act defines examination malpractice as "an act which is an offence under this Act' " ("Examination Malpractices Act," 1999, s.19). Cheating is only one of ten offences created under the Act. Examination malpractice may take various other forms such as paper leakage, impersonation, and sorting to mention just a few. All the forms or patterns of examination malpractice mentioned above can be dealt with without abrogating examinations.

This is why it is important to differentiate patterns from structures of corruption. The patterns of corruption may point to the existence of particular structures of corruption but they do not exhibit unitary correspondence to structures. For example, fraud – a "crime that involves some kind of trickery, swindle or deceit' and entails both 'bribery and embezzlement" (Hallak & Poisson, 2002, p. 106), as a pattern of corruption may obtain under different structures such as examinations and student union finance. However, fraud may still take place among students outside of examinations and funding matters as when they falsify personal information to qualify for certain reserved treatments and services.

The key structures of corruption among students in higher education institutions in terms of the frequency of their mention by both student and staff respondents are examinations and hostel allocation. Other structures are student-lecturer and student-staff face to face interaction; admissions; and **student clearance**. How did the study identify structures? There was a direct questionnaire item which required students to state where they are more likely to encounter corruption in their interaction with lecturers and staff. A second item asked about who drives corruption to which they responded by naming those they regard as corruption drivers.

Students were asked the question: "In their interaction with administrative staff and lecturers, where is a student more likely encounter corruption?" Barely 47 per cent or 227 out of the 481 respondents answered this item. The majority of this number (137 respondents or 60 per cent), reported that students were more likely to encounter corruption in their interaction with lecturers than with administrative staff. Fifty eight respondents or 25 per cent reported that corruption is more likely in students' interaction with administrative staff while 32 respondents or 14 per cent reported that corruption was equally likely in interaction with both staff and lecturers. Figure 6.3 below presents the response pattern in a bar chart.

Figure 6.3 Locus of Corruption in Interaction with Staff and Lecturers

In their interaction with administrative staff and lecturers, where is a student more likely to encounter corruption?

	Frequency
Lecturers	~137
Administrative Staff	~58
Both administrative staff and lecturers	~32
No Response	~247

In their interaction with administrative staff and lecturers, where is a student more likely to encounter corruption?
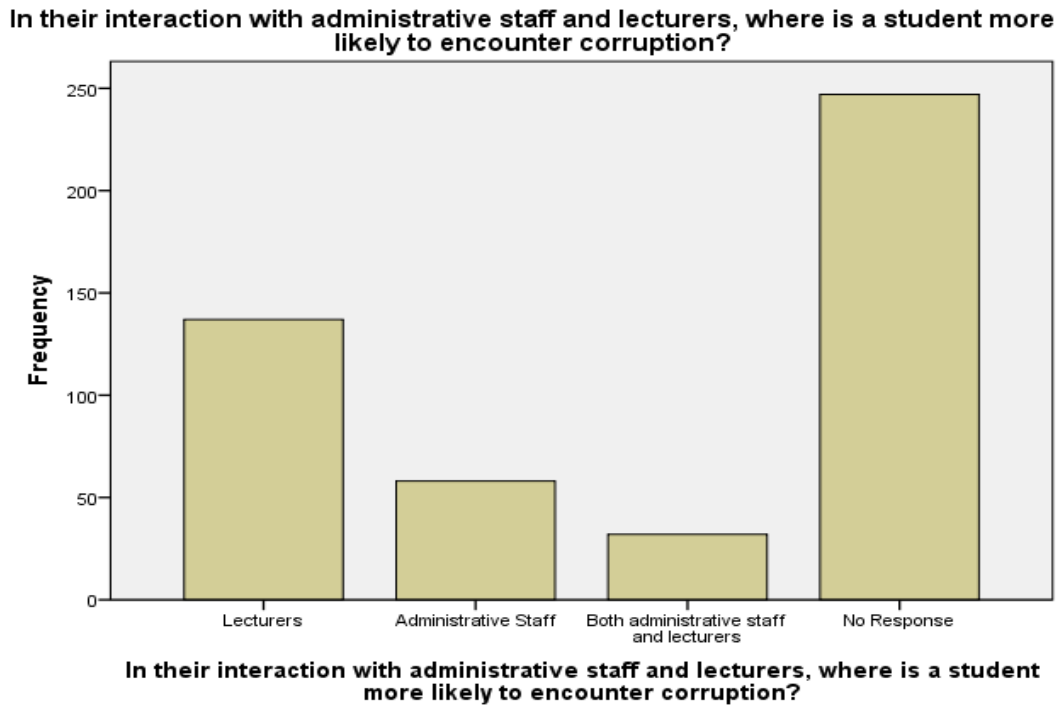
It should not be surprising that students report that they are more likely to encounter corruption in their interaction with lecturers than with administrators. This is because students' contact with administrative staff is very limited when compared to their interaction with lecturers. While students generally have daily contacts with lecturers, it is possible for some students to make contact with administration personnel only at the points of entry into and exit from an institution. Apart from the Academic Office, the Students' Affairs Department is the other context where students come in serious contact with administrative staff. But this unit is ordinarily under the supervision of senior academics who serve as hall wardens and assistant wardens.

For example, at the University of Port Harcourt, student governance is carried out through five principal organs. These are the Dean of Students, the Student Welfare Committee (SWC), Hall Management Committee, Joint Hall Management Committee, and Hall Government. The Dean is usually a senior academic. The Student Handbook of the University of Port Harcourt provides that

220

The Dean shall be a Senior member of the academic staff and, by virtue of his office, a member of Senate. The Dean shall be appointed by the Vice-Chancellor, after consultations and subject to approval by Senate (University of Port Harcourt, 2008, p. 57).

The Dean, assisted by an assistant dean, is responsible for "overall coordination of student welfare services", and reports to the Vice-Chancellor and the Senate (University of Port Harcourt, 2008). Here, as in most tertiary institutions in the country, the Dean of Students is directly involved, not only in allocating students to halls of residences but in some cases, also in the direct allotment of bed spaces. The next organ is the Student Welfare Committee. This is a Senate Committee charged with advising the "Vice-chancellor and Senate on general policy regarding students' welfare and governance". Chaired by the Vice-Chancellor or his/her representative, its membership comprise one representative each of Council and Senate, the Registrar, the Bursar, the Dean of Students, all Hall Wardens, and three students appointed by the Student Union government to represent students. The Student Welfare Committee has only the Council representative, Registrar and the Bursar, and the students' representatives as non-academic staff members on it. The rest are all senior academics and therefore any issues of corruption arising from availability or otherwise of service delivery will be squarely blamed on lecturers.

The Hall Management Committees (HMCs) and Joint Hall Management Committee (JHMC) are also under the direct control of senior academics. The HMCs comprise of the Hall Warden and Assistant Hall warden, both lecturers; the Hall Executive Officer, Hall Supervisor, and Hall Chief Porter all of whom are administrative staff generally drawn from the executive cadre; and the Hall chairman, Hall Secretary, Hall Treasurer, and Hall Social/Welfare/Sports Secretary elected by the students resident in a hall of resident. The HMCs are responsible for the enforcement of all lawful rules and regulations in their halls of residence. They also make inputs into the budget for student accommodation and generally oversee maintenance and minor repairs to hall facilities. The HMCs also play a part in student discipline. The JHMC is made up of all HMCs and is presided over by the Dean of Students. Its role is to ensure standardization and

uniformity of services among the various halls of residence, appraise the use and control of facilities in the halls and make findings and recommendations to the Vice-Chancellor and the SWC on how to improve the quality of life in the halls of residence.

The final organ of interest here is Hall Executive. This body is made up entirely of students elected from among the residents of a hall. Having one year tenure, it comprises a chairperson, hall secretary, hall treasurer, and hall social/welfare/sports secretary. It acts as the link between the students and the HMCs, deliberates on matters affecting students in the halls, brings problems students face in the halls of residence to the attention of the relevant authorities of the university and takes the views of the university back to the students (University of Port Harcourt, 2008). The main opportunity of corruption available to its members is finance related.

It can be seen from the foregoing account of administration of students' residences that lecturers occupy the chief policy making and implementation roles. They allocate students to hostels and allot bed spaces to students assigned to particular residences. They also supervise the non-academic staff serving in student residences. In some institutions, senior academics are also reserved a numbers of bed spaces for public relations purposes. Sometimes, some such allocations are sold to students who miss out in the official allocation.

Students were also asked to identify the main drivers of corruption in their institutions. Two separate items were inserted to tap drivers of academic and non-academic corruption respectively. The item on academic corruption defined the concept and invited students to name its drivers and the other item did the same for non-academic corruption. No options or suggestions were given to the respondents other than the definition of the concepts. They were allowed to mention as many drivers as they deemed fit.

The drivers of academic corruption identified by the students are lecturers, students, parents, non-academic staff, management, and different permutations of the above agencies. Most drivers of academic corruption are internal to the higher education institutions. The only external corruption drivers identified by respondents are parents and this factor has very little weight in terms of the number of respondents who referred to it. While the number is negligible, the

mention of parents as corruption drivers indicate that though located outside the higher education institution, family setting is a structure of corruption. Parents are said to encourage "academic corruption by encouraging their children directly or indirectly". It was also reported at one FGD that parents put pressure on the students. According to one participant at the focus group discussion with administrative staff at Uniport,

> Quite often, even some of those results that they have tendered to the university, that have been tendered to the university that has been found to be forged, or falsified, they would always say that it's their parents that gave them the results

Another participant added that "Some of them would even tell us that it's their parents that gave them the money and results to use".

6.6 Patterns of higher education student corruption

What are the conducts or behaviour of students that students regard as corrupt? It is such conducts that constitute the patterns of higher education student corruption. Patterns of corruption refer to the ways or forms in which corrupt behaviour is expressed. It can also be seen as the method of execution of corrupt behaviour. Patterns of corruption refer to corrupt activities. Higher education student corruption takes several forms including examination malpractices, sale of public property for private gain, fraud, extortion and cultism. The most common forms are examinations related and go under the common name of examination malpractice. Examination malpractice may take several forms such as sale of examination questions, leakage of examination papers, cheating in examinations, sale of examination grades, and sorting.. In almost all cases, the forms of behaviour students describe as corrupt are conducts prohibited by their institutions. Therefore, though moral values may somewhat inform a student's idea of what constitutes corrupt behaviour, one may legitimately postulate that the referent standards for discriminating between corrupt and incorrupt conduct among students consist in the rules and regulations of their respective institutions. This will become clear as the major patterns are discussed.

Students' ideas of the patterns of corruption were elicited through a number of items on the questionnaire and the focus group discussions. The questionnaire items under reference are C1, C10, and C25. Item C1 provided students with a definition of educational corruption and then invited them to make a list of the conducts that they will describe as corrupt; item C10 invited them to mention corrupt practices they were familiar with while C26 requested them to identify forms of non-academic corruption that exist in their institution. The three items are thus complementary, a situation the respondents also recognized. Together, these items provided students with ample opportunity to mentions as many activities as they deemed corrupt. The responses to these items were merged to obtain a fairly exhaustive picture of students' interpretation of corruption and to minimize the problem of nonresponse as well as eliminate duplication of responses by the same respondent. The various forms of corruption mentioned by the student respondents were first listed and then sorted into themes. Among the conduct listed as examples of corruption are absenteeism, alcoholism, armed robbery, boycott of lectures, bribery, cheating, cultism, dating lecturers by students, dating among students, demonstration, dereliction, destruction of property, drug abuse, educational malpractice, electoral malpractice, embezzlement, examination malpractice, extortion, favouritism, fighting, forgery, fraud, Gangsterism, immorality, impersonation, indecent dressing, insult, intimidation, lateness, laziness, littering, lying, materialism, misappropriation, murder, plagiarism, prostitution, rape, rioting, robbery, sale of property, seduction, sexual harassment, sorting, smuggling, stealing, theft, unruly behaviour, vandalism, and victimization.

Altogether, 1443 examples of corrupt conduct were cited. Out of these, about 110 responses could not be sorted into any of the substantive major themes and were put into an "others" category. This category was not used in the analysis partly because many of the activities cited are driven by lecturers and staff rather than by students and partly because some of them were ambiguous and meaningless. Among activities driven by lecturers and staff are educational practices, high cost of textbooks, inadequacy of teaching and learning materials, lack of required text books, mal-administration, poor performance of management, uncover syllabus, and untrained teachers. For example, students play no part in the recruitment of lecturers; neither do they play any role in designing course outlines that lecturers use. The ambiguous responses

include engagement of students in crime, envy, exuberant dues paid, financial problems, having friendly help, hostel congestion, illegal deals, para-military, parental involvement, photocopying of textbooks, playing pool in the school, poor reading habit, prejudice, and racism. The remaining 1333 examples were further refined to take only one count of every form of corruption cited more than once by the same respondent. This process yielded 1253 responses which were initially sorted into over fifty patterns which were subsequently grouped into 12 broad themes to form the major patterns of higher education corruption. These are discussed in the following section.

As indicated above, over fifty different patterns of corruption were mentioned by the respondents. These were grouped into twelve major themes, namely, absenteeism, activisms, bribe/bribery, fraudulent conduct, cultism, dereliction, drug/alcohol abuse, examination malpractice, indecent dressing, sexual behaviour, theft/stealing, and unruly behaviour. These themes summarize the examples of corrupt practices listed or mentioned by respondents in the instrument. These themes are not formed on a uniform basis. Some of them describe the nature of the transaction and some the context; others are formed based on the sources which inform the respondents' position. For example, bribe/bribery is defined by the nature of the transaction which is monetary or other material or non-material exchange between a student and a lecturer or staff for the performance or non-performance of an official duty. Some themes are agency defined. This is the case with the cultism category where the term is used to embrace conduct generally associated with cultism in the higher education sector even though such conduct also exist in the wider society and may be perpetrated by non-cult members as well as cult members. In this regard, robbery is listed under cultism because cults operate as robbery gangs to finance their activities. In addition to what obtains in literature, students themselves associate such criminal conduct with cultism. Thus, one respondent cites as corruption "rape and intimidation by anti-social groups in and around the campus" (23 year old male respondent, UNN). Cult groups are also called secret societies and antisocial groups. Table 5.1 presents the 12 major themes discussed an alphabetical order in the succeeding paragraphs of this section. The percentages do not add up to 100 because respondents were allowed multiple responses.

225

Table 6.4: Frequency of Major Patterns of Higher Education Student Corruption

Major Patterns	Responses		Percentage of Cases
	N	Percentage	
Absenteeism	65	4.60%	16.50%
Bribery	147	10.50%	37.40%
Fraudulent Conduct	34	2.40%	8.70%
Cultism	206	14.70%	52.40%
Dereliction	85	6.10%	21.60%
Drug Alcohol	45	3.20%	11.50%
Exam malpractices	313	22.30%	79.60%
Indecent Dressing	100	7.10%	25.40%
Sexual Behaviour	148	10.50%	37.70%
Theft /Stealing	110	7.80%	28.00%
Unruly Behaviour	70	5.00%	17.80%
Activism	80	5.70%	20.40%
Total	1403	100.00%	357.00%

6.6.1 Absenteeism:

Absenteeism refers to failure on the part of a student to attend lectures and participate in other required formal learning experiences other than in a boycott of classes. Thus if a student did not attend lectures or fails to do assignments in the absence of a dispute between the institution and the student body, this will be regarded as absenteeism. If on the other hand students refuse to attend lectures or participate in laboratory experiments and practical works, tests, and examinations because of disagreement with the institution, this will be regarded as a boycott. The essence of absenteeism is non-participation. The essence of boycott is also non-participation but in this case, non-participation is the result of a collective decision by a body of students not to participate in a learning or evaluation exercise. Absenteeism is an individual student's decision and may be the result of a range of different factors including illness, financial difficulty, family issues, and so on. The specific reason for the absence, so long as it is not political, is deemed not important; what is important is that the student did not attend or participate in a learning activity or evaluation activity. Boycott is a collective political decision, although oftentimes most

226

students may not have directly participated in making the decision to boycott classes. Boycott of lectures is also defined as misconduct and prohibited as a mode of grievance expression in some of the institutions such as FUTA. Here Rule 4 of the Regulations on airing grievances states that "under no circumstance should students boycott lectures. Only the University Senate and the Federal Government can declare lecture free days" (Federal University of Technology Akure, 2008, p. 38).

Absenteeism poses both a moral and a legal problem. The rules and regulations governing examinations generally require attendance of lectures. For example, at both FCE (T) Omoku and FCE Zaria, participation in examinations requires 75% attendance at lectures. At Zaria, lecturers are required to report students who do not meet the attendance requirement to the head of department who is empowered to stop such erring students from writing the examination. The head of department only has to report his decision to the Academic Board. Another aspect of the problem of absenteeism relates to student assessment. Continuous assessment scores form part of final evaluation. This means that even without the lecture attendance requirement for participation in examinations, a student would lose the marks for tests administered in his/her absence. As is the situation at FCE Zaria, absenteeism means automatic carryover of the affected course. Absenteeism thus creates ethical and legal challenges to both students and lecturers.

Students may resort to fabrication of stories to justify their absenteeism and elicit sympathy from the lecturer. They may also resort to signing attendance register by proxy especially in very large classes. On their part, lecturers may be confronted with the challenge of throwing the rules in the face of the students or taking into account the long term effect of the application of the rules on the destiny of the affected student. Absenteeism does not seem widespread; only 65 out of 397 respondents who answered items C1, C10, or C25 mentioned it as a form of corruption. Overall, it ranks 10th out of the 12 major patterns of corruption. It is most severe in the colleges of education followed by the universities and then the polytechnics. Again the subsector differences may not be unconnected with the seriousness absenteeism is viewed by individual institutions. For example, while the colleges of education already referred to require 75% attendance at lectures from students, at FUTA students are allowed to participate in examinations

with 65% attendance at lectures. Women are more likely to regard absenteeism as corruption than men.

6.6.2 Activism:

Activism provides context for corrupt behaviour and it is those behaviours that are under reference here. This theme covers all politics related or political behaviours including the conduct of student union government officials and all forms of protest behaviour which students describe as corrupt. Student protests entails

> any incidents of student revolt or unrest, which constitute a serious challenge or threat to the established order or to sanctioned authority or norms…(including) defiant political behaviour; the boycotts of classes; limited cases of vandalism against school property, including the burning of school buildings; physical attacks on school personnel, and serious riots resulting in the death or serious injury of students and civilians (Nkinyangi, 1991, p. 158)

The most visible political behaviour of students relates to elections and it is therefore not surprising that some students mentioned electoral malpractice as corrupt conduct. All references to riots, demonstration, boycott of lectures and exams, and damage or destruction of public property are also included in this category. Also included here are all references to imposition of candidates by the management of higher education institutions as well as embezzlement and misappropriation because students' politics provide context for their occurrence. Embezzlement and misappropriation are generally committed against the institution or subgroups thereof. Overall, activism ranks 8th out of the 12 major patterns of corruption with only 79 respondents mentioning it as a form of corruption. Respondents in colleges of education are more likely to regard activism as corruption followed by those in universities and then polytechnics. In terms of gender, male students are more likely to regard activism as corruption than female students.

6.6.3 Bribe/Bribery:

Bribery is the phenomenon most commonly associated with corruption. It may also be the form of corruption in which most people participate. Indeed Transparency International's CPI is based more on bribery than any other single phenomenon. Students give bribe for different reasons. Ordinarily, the reason for the bribe should form the basis for classification of bribe into a theme. For example, bribe paid to influence examination grades is called sorting which is classified under examination malpractice. But bribes are also sometimes paid to secure a preferred hostel or bed space. Therefore, unless the purpose of the payment is mentioned, it is not possible to subsume bribery under any other theme. It is for this reason bribe/bribery stands as a theme on its own. Though a form or pattern of corruption, it would have been more meaningful to define it in reference to the context in which it occurred as was done with some of the other patterns. So the category 'bribe/bribery' includes all cases in which the word bribe or bribery appeared but without a specification of the purpose for which the bribe was paid. This is the fourth most prevalent pattern of corruption. It ranked fourth overall, third in the universities, fourth in the polytechnics, and ninth in the colleges of education. It was mentioned by approximately 36 per cent of the respondents. Gender wise, male respondents are almost twice as likely to refer to bribery as female respondents.

6.6.4 Cultism:

This theme includes all responses in which the words 'cult', cultists', 'cultism', or 'secret society' appeared. It also includes responses in which words used to describe activities regarded as corrupt are closely associated with cultism such as gangsterism, intimidation; threat, robbery, armed robbery, and murder were given as examples of corrupt practices in which students participate. Also included under this major theme are extortion and bullying and all references to 'bad gangs' or 'bad groups' because they are underpinned by coercion, real or imagined. Chapter Two highlighted the fact that cultism is one of the conceptualizations of corruption in the literature on corruption in higher education in Nigeria. It was pointed out there that the concept of corruption is hardly applied in the study of students and the phenomena collectively labelled

higher education student corruption by this research are referred to as social vices. Cultism is one of those vices. The problem of reducing cultism to vice is that it becomes relegated to the sphere of morality and to that extent less amenable to objective redress. Moreover, it was pointed out then as well as that cultism is a crime. This section therefore attempts to draw out the connexion of cultism to the political economy of higher education and some of the other patterns of higher education student corruption discussed in this chapter.

Many respondents in this study identified cultism both as a pattern as well as a cause of corruption among students. As a pattern of corruption it entails the use of violence to advance the material and academic interests of the members of cult groups. It is in this process that cultism results in corruption rather than merely being a pattern of corruption itself. According to Oluwatobi and Babatunde, "cultists are the kind of students who disrupt university examinations, carry guns or acid to examination halls and threaten lecturers in order to obtain good grades" (2010, p. 63). The joining of cult groups involves a rational calculation of costs and benefit analysis. Membership of secret cult is banned in all institutions and anyone found to be a member is to be instantly expelled. Why the do students take the risk of becoming members? The reasons are explored in Section 6.7.

6.6.5 Dereliction:

Corruption as dereliction describes a set of attitudes which student respondents give as examples of corrupt conduct. Such conduct relate to failure to discharge a duty or responsibility and to meet expected standards of behaviour. Classified as dereliction are failure to do assignments, laziness, going late to lectures, and failure to observe ethical rules relating to the role of student. A derelict student is generally unserious and careless in attitude. Dereliction thus describes the posture of non-seriousness or frivolity and carelessness rather than the consequences of such posture. Dereliction is more of a major concern in colleges of education than in polytechnics and universities. Overall, it ranks 7th with 84 respondents reporting it as corruption. Gender wise, there is near parity between male and female respondents.

6.6.6 Drug/Alcohol use (abuse):

Drug abuse and the intake of alcohol by students were also cited as forms of corruption. While drug abuse is a crime, drinking of alcohol is not. However, drunkenness by students is a form of behaviour that is punished under the rules and regulations governing many higher education institutions. This theme includes all references to smoking, doping, drug abuse, alcohol use and drunkenness. As a stand-alone theme, drug and alcohol abuse ranks very low at 11th position among the major patterns of corruption identified by student respondents. It is three times more likely to be identified by university students than polytechnic students and twice as likely to be mentioned by a university student as a college of education student. Male students are also more likely to refer to it than female students.

6.6.7 Examination malpractice:

Examination malpractice includes several practices which impact the academic standing or grade of pass of a student. The theme includes all references to examination malpractice itself and to cheating, impersonation, plagiarism, and sorting. It however excludes educational malpractice of which students are victims rather than practitioners. This is the most prevalent pattern of corruption overall as well as in each of the three sectors. It was identified by 308 out of 397 respondents, that is, close to 78 per cent of the respondents who addressed the three items under consideration. In total, more men than women regarded it as a form of corruption but in relative terms, female respondents are more likely to see examination malpractice than male respondents. It is possible this gender variation has to do with the fact that, reputedly, only female students are exposed to sexual harassment by male lecturers.

6.6.8 Fraudulent conduct:

This theme includes all references to fraud and forgery. Altogether, only 32 respondents mentioned fraud and forgery as a form of corruption. However, it is included as a major theme

because fraud is a form of corruption in life and in the literature despite receiving low mention by students. It registered significant sub-sector and gender differences.

6.6.9 Indecent dressing:

The attire a student wears should ordinarily belong in the personal and private sphere of the individual student but among Nigerian students, it is a matter of public concern. While indecent dressing is not defined by many of the respondents who cited it as an example of corruption, the few that did suggest that it refers to dressing that exposes sensitive parts of the body, especially of the female body. Some of the institutions provide for regulations on dress code of students, and these also provide an idea of what constitutes indecent dressing. For example, the Federal University of Technology, Akure prohibits

> Indecent exposure of vital parts of the body e.g. thigh, breast, chest, and abdomen (including the navel) in the classroom, laboratory, lecture theatre, studio, workshop, School/Departmental offices and other buildings in the University (Federal University of Technology Akure, 2008, p. 44).

The Federal College of Education, Zaria has a more elaborate provision on dress code. In this institution decent and acceptable dressing entails the following

> The dressing shall cover sensitive and vital parts of the body
> The dress shall not be tight or transparent
> Dress shall neither be oppressive nor provocative
> Generally, dress shall not be carefree
> Dress shall not show sign of irresponsibility since one is addressed the way he/she dresses
> The dress shall not be dirty, rough or shabby
> The dress shall distinguish between natural sexes of the wearers
> Dress shall generally moderate in overall appearance (Federal College of Education Zaria, 2009, p. 60).

While the punishment for indecent dressing at FUTA is a letter of warning, at FCE Zaria, it is more drastic. First time offenders are to "be sent out of lecture rooms and prevented from attending lecturers" and "reported to the Dean of Students for a written warning". Repeat

232

offenders are to be reported to their parents/guardians. "Persistent defaulters should be suspended and the parent(s)/guardians notified. Where the culprit is aggressive and not remorseful, his/her letter of admission shall be withdrawn and hostel accommodation revoked" (Federal College of Education Zaria, 2009, p. 60).

Overall and in the university and polytechnic subsectors, indecent dressing ranks 6th among patterns of corruption but 2nd in the college of education subsector. The wide disparity in the perception of indecent dressing as corruption can be attributed to the seriousness with which the matter is viewed in the different subsectors. Gender wise, female students are more likely to see indecent dressing as corruption than male students.

6.6.10 Sexual/Sex-based (mis)conduct:

There was a struggle whether this theme should be named Immorality which is broader than sexuality or sex-based but the decision was made for sexual/sex-based because this seemed less subjective and judgemental. This theme includes all references to sexuality, sexual immorality, sexual orientation, sexual harassment, seduction, and prostitution. It also includes all forms sexual relationship between lecturers and students as well as staff and students. Among the telling words used by respondents and out of which this theme was constructed are "fornication", "couple's life", and lapping. Fornication refers to sexual relationship between two unmarried persons; couple's life refers to co-habitation among students of opposite sex; and lapping to students carrying their boy or girl friends on the lap in public spaces. There is a general tone of disapproval in all references to sex related behaviour by respondents in this study. Polling 146 mentions altogether, it ranked 3rd overall and in the polytechnic subsector, 4th in the university subsector, and 5th in the colleges of education subsector. Gender wise, and in relative terms, female students are more likely to refer to sex related behaviour as corruption than male students. Thus, while close to 40 per cent of all female respondents mentioned sex related conduct as corruption, among the male respondents, only 25 per cent did so.

6.6.11 Theft:

This is perhaps the most unambiguous theme. Theft refers to taking something from someone unlawfully, often times without the knowledge of the person. In the context of this research it also includes stealing which entails taking someone's property without the person's consent. The category also includes all references to sale of property and accommodation racketeering. Theft and stealing may be perpetrated against individual students or the institution. Sometimes, sale of property may also be perpetrated against individual students but in the main, it is against the institution. It ranked 5th overall and in the university subsector, 6th in the polytechnic subsector, and 8th in the colleges of education subsector. Gender wise, 23 per cent and 21 per cent respectively of all male and female respondents regard theft as a form of corruption.

6.6.12 Unruly behaviour:

This theme captures misbehaviour in relational context and includes fighting among students, disrespect for the person of people in authority, insulting or verbally abusing people in authority, and improper and disruptive conduct during lectures. It also includes lying and gossiping about other students. Also included in this category is insanitary behaviour such as improper disposal of refuse and urinating in public. At the University of Port Harcourt, unruly behaviour includes

1. Reckless driving on campus
2. Disturbing the peace of any kind anywhere on campus.
3. Molestation of University Staff.
4. Jumping the queue
5. Crossing of lawns
6. Defacing a university building in any way.
7. Throwing of missiles
8. Seizure of Private/ Commercial Vehicles
9. Hijacking of a private or public vehicle on campus.
10. Use of threat of violence of any kind' on anybody
11. Fighting
12. Illegal detention of people.
13. Locking of the gate during demonstration.
14. Any other behaviour that, may be classified as unruly behaviour.
    (University of Port Harcourt, 2008, p. 31).

Punishment for unruly behaviour ranges from written warning to expulsion from the institution. For example, the jumping of queues is reprimanded while seizure of vehicles attracts expulsion from the University. Unruly ranked 9th overall, 5th in the polytechnics, 8th in the universities, and 10th in the colleges of education.

6.7 A note on classification of Higher education student corruption

It was shown in Chapter Four that the various classifications of corruption in education exclude students as drivers and only account for them as victims. The implication, as observed then, is that they are deficient as classificatory schemes of corruption in education. The only scheme that partially accounts for students as well as other drivers of educational corruption was Rumyantseva's taxonomy. Rumyantseva (2005) distinguishes between two categories of education-specific corruption: academic corruption and corruption in services. These are the forms of corruption in which students are directly involved as drivers or agents. One way to categorize the responses derived from the questionnaire in this study may therefore be on the basis of the context of the activity or conduct described as corrupt. (To refresh the reader, education-specific corruption refers to educational corruption which involves students as agents and which directly affects the values, beliefs, and life chances of students. Opposed to education-specific corruption is administrative corruption. This refers to educational corruption with no student involvement. The effects of administrative corruption on students' values, beliefs and life chances are mediated by the tertiary institution's financial resources and its effectiveness in their allocation). However, though mediated by the institution, administrative corruption suffuses students' ideas and attitudes on corruption. Furthermore, the amount of resources available to an educational institution and its management style provide context for students' corruption. More importantly, Rumyantseva conceives of corruption as exchanges between student and faculty, student and administrator, and student and staff; some of the exchanges of Rumyantseva precede the studentship of the student as they occur in access as when "Administrator charges student's family a fee for guaranteed admission to the university" (Rumyantseva, 2005, p. 89).

But for the students in this study, higher education student corruption does not consist only in exchanges but also includes behaviours which negatively affect the academic standing and

conduct of students. To them, corruption is behavioural as well as relational. So the agencies in the various exchange relations do not constitute a basis to exhaustively classify the conduct or practices which students regard as corrupt. There is therefore a need to account for the non-exchange based forms of corruption in which students engage. This study does so by utilizing as a basis of classification the **curriculum context** in which the action, activity, attitude, or conduct described as corrupt resides.

There are two main phases in the educational process in a higher education institution:

(1) The learning phase in which students are taught the content of official curriculum and imbued with officially approved character traits; and

(2) The evaluation or examinations phase in which students give accounts of their learning and the extent of character transformation they have undergone. In this phase, their lecturers and other internal and external assessors who are deemed to be qualified to comment on their academic standing and character in the context of their respective institutions also give account of them.

Absenteeism and dereliction take place in the learning phase while examination malpractices broadly defined take place in the assessment or examinations phase.

Corruption in the learning and examination processes constitutes what is commonly known as academic corruption. However, there are officials who do not participate in the learning or examination process but who are able to affect the final certification with which a student graduates from an institution and therefore determine the ultimate academic standing of a student in terms of the class of degree s/he leaves the institution with and presents to the society. Such actions and activities affect the class of pass a student takes to the society but are neither based on the ability of the student nor issued by persons qualified to determine the quality of pass of a student are taken as part of examination malpractice because results are expected to be the outcomes of examinations. Such actions invariably involve forgery, fabrication, or falsification

by the responsible officials and constitute administrative rather than academic corruption their impact on the purported academic standing of the affected students notwithstanding.

It was also argued in Chapter Four that literature coming out of Nigeria conceptualizes higher education student corruption as social vice. As social vice, corruption comprises "cultism, drug abuse, examination malpractice, obscene dressing, and sexual promiscuity/harassment" (Okwu, 2006, p. 193). The conceptualization of higher education student corruption as social vices, a concept which signifies moral weakness, is unhelpful in any attempt at building an exhaustive classificatory scheme for the phenomenon. This is because cultism, drug abuse, and examination malpractice are crimes against the state in Nigeria. Dealing with them as moral or social problems negates their true nature and undermines efforts at finding solutions to them. However, the low level of development of theory of corruption means that it is difficult to find elements on the basis of which to form the various themes into categories. Consequently, a number of different criteria are used to form the themes into categories.

This section seeks to explain how higher education corruption was classified into themes and patterns. It has been indicated earlier that the various examples of corrupt practices, conduct, or activities mentioned by the student respondents were sorted into twelve major classes. However, while the classes are largely exhaustive of the major patterns of higher education student corruption, some of them are not exclusive. In some cases, original responses naturally belonged to more than one theme. For example, 'sorting' is a form of examination malpractice which takes place post-examination. In general, it takes the form of monetary payments to lecturers. In the classification of responses into themes, where a respondent uses the term 'sort' or 'sorting', the response was categorized as examination malpractice; but if the respondent instead said "bribing to pass" or used the words bribe or bribery, the response was put under bribe/bribery. Altogether, as indicated in the preceding section, there are 13 of these at the primary level, 12 substantive categories and one composite and generalized category. Table 6.5 shows the major corruption themes.

Table 6.5: Major corruption themes

	Major theme	Nature of conduct	Criteria	Impact Domain
1	Absenteeism	Unethical Criminal	Morality Law	Personal with relational consequences
2	Bribe/Bribery	Criminal	Law	Public
3	Fraud	Criminal	Law	Public
4	Cultism	Criminal/Violent	Law	Public
5	Dereliction	Immoral/Antisocial	Morality Conventions	Personal with relational consequences
6	Drug/Alcohol	Criminal/Immoral	Law/Morality	Public/Personal
7	Exam malpractice	Criminal Unethical	Law/Morality	Public
8	Indecent dressing	Immoral Antisocial	Law Morality	Personal with relational consequences
9	Sexual Behaviour	Criminal/Immoral	Morality Law	Personal/Public
10	Theft/stealing	Criminal	Law	Public
11	Unruly behaviour	Criminal Immoral Antisocial	Law Morality	Public
12	Activisms	Political	Law	Public
13	Other	Criminal Violent	Law	

A brief description of the table will be helpful in enhancing understanding of the classification about to be discussed. Column 2 of Table 6.5 contains the major themes into which the approximately 1440 responses were sorted. Column 3 shows the nature of the action/activity/conduct described as corrupt in relation to the relevant referent standard. For example, bribery is a criminal act defined in relation to laws governing the conduct of public officials. It is thus a breach of law and can be determined objectively. On the other hand, unruly behaviour is described as being governed by both criminal and moral standards because some actions classified here are prohibited in law while others are not and are determined relative and subject to prevalent social and cultural values. For example, the University of Port Harcourt which distinguishes between misconduct and criminal offences, classifies unruly behaviour as

misconduct even though it is an offence created by law. For example, fighting is defined as unruly behaviour, so also is failure to show curtsy or respect to people in authority. However, no law requires students to exchange salutation with their lecturers but failure on the part of a student to 'greet' a lecturer is considered bad manners. In the South West in particular, students are expected to show obeisance to lecturers and not doing so can attract unfavourable treatment if not outright victimization. Not running errands for lecturers when so demanded can be interpreted as disrespect. Hence unruly behaviour encompasses both criminal and antisocial conduct. The fourth column provides the standard for the classification of a conduct as corrupt. The key standards are law and morality with conventions also playing a part. The fifth and final column is impact domain. This shows the sphere of the corrupt conduct and the centre of its impact. There are two main impact domains: personal and public.

However, only the categorical 12 themes are used in the analysis. These were further grouped into broader more exhaustive and exclusive categories on the bases of the following criteria:

1. Nature of the conduct or practice, whether it is unethical or criminal.
2. The possible sources or bases/criteria of the classification, whether it derives from formally established laws, including rules and regulations, or from morality.
3. The domain of the conduct, that is, whether it is behavioural or relational. The conduct is behavioural if it is towards the self in its primary impact; and relational if it involves other people either in its execution or in its impact.

The **nature of the conduct** may be determined in relation to the criteria on the basis of which actions, activities, or conduct are (or may have been) described (or judged) as corrupt, that is, the foundation or source of the attitude of the respondent. The main criteria here are laws on the one hand and norms, conventions, and practices of the society on the other hand. Where law is the source, a corrupt conduct will have the nature of a crime. Where the attitude is based on a norm, the conduct may be regarded as immoral or unethical; and where it is convention or practices based, it may be regarded as antisocial. In general, what is immoral may also be antisocial; therefore it can be said that there are two major types of conduct: criminal conduct, and

239

immoral/unethical/antisocial conduct. In other words, the nature of a corrupt conduct is determined in reference to one of two standards: law or morality.

Domain describes the area of activity and sphere of impact of a corrupt conduct in terms of whether it is personal and behavioural or relational, and private or public in its impact. It addresses the question of who is most directly affected by a corrupt conduct. On the one hand, a theme is described as personal, behavioural or private if there is no formal legislation governing the conduct in question and the consequences of the behaviour are largely limited to the person. On the other hand, a theme is described as public and relational, if there is a legislation governing it and the consequences extend to others in the context of the conduct. For example, the consequences of absenteeism are first and foremost on the absentee him/herself. But where absenteeism is widespread, it could have public or relational impact because it could lead to stoppage of classes and or poor performance in evaluations and indirectly on resource allocation. A more direct line of consequences of absenteeism to the public domain occurs where the rules of the higher education institution require students to obtain a certain minimum attendance in order to participate in examinations (as is the cases in all the institutions covered in this study), and on missing this mark, the affected students put or bring pressure to bear on lecturers to allow them into examinations, or failing that, they produce fake medical reports of ill-health.

6.8 Causes of Higher Education Student Corruption

Students participate in corrupt practices for diverse reasons. This section presents students' explanation of why some of them indulge in corrupt conduct. The students are given voice to speak for themselves as the researcher limits himself to drawing attention to how their concept or idea of corruption and the conducts they regard as corrupt informs their explanation of why students engage in corrupt behaviour. However, while giving them voice, their responses have been built into the three main variables in terms of which this research seeks to account for higher education student corruption: the personal characteristics of students, establishment characteristics of the higher education institution, and culture of corruption. These though are broad categories and may feature variable content. At the outset it needs be emphasized that the students are at pains to point out that it is "some" students that are corrupt and not all students. It

should also be noted that the 'causes' of higher education student corruption are essentially the opinions of the respondents and may not explain the phenomenon it is claimed to cause. Some of the causes describe corrupt behaviour by a driver other than the student and the student is presented as simply responding to a demand. Such is the case with the following answer to the question of why students participate in corrupt practices: "At times due to intimidation by lecturers" (Male student, Uniport). In other words, students engage in corrupt behaviour because of corrupt behaviour on the part of a lecturer. It should be emphasized that what the respondents regard as causes of corruption need not be so regarded either from epistemological or ontological perspectives. Epistemologically, causality requires coincidence of occurrence with the causal factor preceding the effect temporally; and ontologically, "causality is seen as something that actually happened" (De Graaf, 2007, p. 62), a virtual impossibility with corruption given its clandestine nature. Literature also shows that even in empirical studies, what passes for causes are oftentimes rationalizations of corrupt conduct rather than its cause (De Graaf, 2007).

A total of 366 student respondents responded to the question "Why do you think students participate in corrupt practices?" This gives a response rate of about 76%. The breakdown of number of respondents among the three types of institutions is as follows: universities – 240; polytechnics – 58, and colleges – 68. The response rates for universities, polytechnics, and colleges are 79%, 75%, and 77% respectively. Personal characteristics of students are the variable most often cited for corruption among students of higher education institutions in Nigeria. This is followed by establishment characteristics of the institution and then the sociocultural factors.

Table 6.6: Why Students participate in corruption: Type of variable by type of HEI

Type of Variable	Type of HEI			Total*
	Varsity	Poly	College	
Personal Characteristics	186	49	56	291
Establishment Characteristics	137	39	45	221
Sociocultural Characteristics	92	20	11	123
Total*	240	58	68	366

The totals do not add up because they refer to cases (respondents) rather than responses. Respondents were allowed to mention as many reasons as they wanted. Therefore, the number of responses exceeds the number of respondents

6.9 Personal Characteristics

Personal factors featured most in the responses of polytechnic students with 84.5% of the respondents who addressed reasons for students' participation in corruption mentioning one or another personal factor. Among respondents from the colleges of education and universities, personal characteristics were cited by 82.4% and 77.5% respectively. Overall, about 46% of the responses as to why students participate in corruption practices cited personal factors (291 out of 635). Personal characteristics under reference here include emotions, associations, parental influence, attitude to school work, behavioural patterns, desire for financial gain, and life style, among others.

6.9.1 Emotions

The most frequently mentioned emotional reason for participation in corruption is fear. The fears include "fear of failure"; "fear of disappointing parents"; "fear of not making it after graduation"; "fear of lecturers"; and "fear of some lecturers being principled". The emotion of fear of failure is said to propel students to engage in corrupt practices. It is interesting that fear of failure is not

242

limited to failure within an institution but also includes failure after graduation. Fear of failure after graduation may be referring to the difficulty of securing employment with low level passes as many employers require potential employees to pass at the level of second class honours. In other words, societal expectation of what constitutes a good quality degree makes students to engage in corruption in order to escape the long unemployment queues. Related to this fear is the "fear of parents and guardians".

Another of the fears relate to establishment characteristics of the institutions. The fear of lecturers, whether because they (the lecturers) are principled or because they are highhanded and intimidate students, is one such characteristic. According to one student, students participate in corruption under "lecturer compulsion" (RSUOE Student, Male); another student speaks of "intimidation by lecturers" (Uniport Student, Male). These are negative attributes of higher education institutions which suggest the absence, at least from the students' angle, of quality assurance mechanisms. The "fear of some lecturers being principled" is also an establishment characteristic but in this case it is a positive one. The patterns of corrupt response to these two kinds of situation expectedly will differ. Compulsion or intimidation may result in compliance in the form of the payment of a bribe, sexual gratification, or forced purchase of a hand-out[47] and therefore participation in a lecturer driven corruption. However, not all students submit to intimidation; some resort to self-help. An example of such attempt by a female student to engage in self-help involves Judith Okosun of Ambrose Alli University, Ekpoma. Female students are often victimized by randy male lecturers for turning down or evading sexual advances. Other than entrapment, there is little female students are able to do to protect themselves and Dr Otubu of Ambrose Alli University, Ekpoma illustrates. In this instance, the student was suspended for six semesters from the University for taking laws into her hands.

---

[47] A hand-out is a reading material sold by a lecturer to students who are taking a course being taught by the lecturer. Students generally have no choice in the matter and various devices such as linking participation in tests and assignments is often tied to the purchase of such hand-outs.

But lack of fear is also adduced as a cause of corruption. According to one respondent, students engage in corrupt practices because "they don't fear God" (Male, Uniport). Related to lack of fear of God is lack of moral or good parental upbringing and lack of faith in God.

6.9.2 Associations

Another reason adduced for corruption among students is peer influence or pressure and membership of cults. Cultism is regarded as both a cause and a form of corruption. As cause, it is seen as an attempt to gain power and recognition. According to one respondent, "sometimes students participate in corrupt practices just to gain power". According to this respondent, students engage in "cultism, sometime to get mark, also to make money" (ABU Student, Male). Another student at the same institution opined that "students participate in corrupt practices such as cultism to make good grades" (ABU Student, Female). The opinions of these students find support in the literature. For example, Oluwatobi and Babatunde argue that students join cult groups because they want to overcome their "economic handicap" and because of the power it provides them to perpetrate examination malpractice with impunity, secure political power on campus, secure "social recognition" and "group protection" (2010, p. 62). The group protection cultists enjoy extends beyond their campus to the wider society. Some scholars argue that what student cultists do on campus is to put into practice what they observe to be operative in society. Cultists in educational institutions watch government officials violate the laws of the land with impunity because they are members of secret cults. Governments also fail to apply sanctions against cultists who contravene the law because of the protection offered by those affiliated with cults in the corridors of power. Cultists are therefore given the impression that they can get away with acts of lawlessness (Ololube, Agbor, & Uriah, 2013, p. 69)

But cultists do not only enjoy protection, they provide same to those who can afford their services both within and outside the universities, polytechnics, and colleges. According to Kingston, cult groups fund their activities partly through

> kidnapping for ransom, donations by alumni members, levies of members, *retainer funds from corrupt politicians and religious leaders*, drug dealing,

arms sales, forced and organised prostitution, and *bribes from university Staff seeking protection*[48] (Kingston, 2011, p. 66).

Adegbenro and Olabisi (2012) report that cult groups on campus are financed by some children of the wealthy, high, and mighty in society. According to them,

> The advantages make them finance and run secret societies which invariably serve as points of attraction to poor students in the schools who need serious financial help. They hope that their financial predicaments can be solved by taking this measure of becoming a member (Adegbenro & Olabisi, 2012, p. 145)

Membership of cult groups also serve as insurance against failure as

> Becoming a member of a society will give them the opportunity of having rapport with both influential students and some lecturers who are members of cult groups. The opportunity may usher them the chance of passing well in their school examinations (Adegbenro & Olabisi, 2012, p. 145).

The import of the pattern of funding of cultism is that cult groups are a force to be reckoned with in the society. They are called secret cults not because the cultists are not known but because their operational codes are closed to non-members.

> [T]he gang members are known by peers and other members of the universities in which they operate though the initiation of new members and meetings are privately conducted, the gangs are not "secret cults" but formidable, public criminal groups whose motives of operation are wide ranging and brutal (Kingston, 2011, p. 66).

---

[48] Italics are mine.

It is indeed a known practice in some higher education institutions for cult gangs to intimidate lecturers to award their members pass grades in examinations. Therefore, some students "join cult groups to be able to intimidate lecturers to award [them] unmerited grades" (Ololube et al., 2013, p. 73). The profile of cult groups in the literature is that of a veritable instrument of intimidation. To cite Adegbenro and Olabisi (Adegbenro & Olabisi, 2012) again,

> Cult group(sic) are in most cases in illegal possession of fire arms; get involved in drug abuse, violent crimes, like armed robbery, illicit sexual escapades, killing of innocent student, academic and non- academic staff, arson, rape, extortion of money/materials from people; physical attacks, threat, blackmail, and other related inhuman practices (Adegbenro & Olabisi, 2012, p. 146).

By joining cult groups students come to believe that they do not have to be subject to the laws of the institution and the society; they see themselves as being above the law. The very existence of cult groups on campus is therefore seen as one of the major causes of corruption.

Related to cultism is the desire for material gain or what some respondents referred to as "materialism" among students. This desire may emanate from financial lack or from a desire to live a lifestyle above the current financial means of the concerned students. Thus, for a female student of FUTA, some students engage in corrupt practices because of "financial constrain and the desire to live above waters". Another female student at the same institution opines that students engage in corrupt practices "for financial aggrandisement". Similar views were expressed by respondents at Rivpoly. Here the reasons advanced include "poor financial state"; "because what they want cannot be afforded by them or either by their sponsor"; "some students involve in corrupt practices due to financial problems". Whatever its source, it tends to propel students to join cult gangs, write assignments and projects for other students, use fraudulent means to secure accommodation for resale, and impersonate to write tests and examinations for other students. While there are attributions to moral decadence and lack of proper upbringing underpinning corruption among students, the responses on why students participate in corrupt

practices contain many references to the material and existential conditions of the students as above.

6.9.3 Family

Parental influence is also implicated as a cause of corrupt behaviour among students. Parents are said to contribute to corrupt behaviour by students in four main ways: (i) inability to adequately finance the education of their children; (ii) not giving their children proper upbringing and orientation; (iii) actively supporting corrupt practices by their children; and (iv) holding high expectations of their children.

Inability of some parents to properly fund their children at school is one of the ways they push the children into corrupt practices. While lack of money as a cause of corruption was mentioned by 6.8% of the respondents, its ramifications render it more significant than the mention it receives. Membership of cult groups, theft, robbery, writing of examinations for a fee, and sale of bed space are some of the consequences of financial need among students.

Parents are also blamed for corruption among students for not giving their children proper upbringing. Although only 2.5% of the respondents mentioned lack of good upbringing, family background and laziness which are related to upbringing add to the weight of lack of good upbringing. For example, family background and laziness as a cause of corruption was mentioned by 3.3% and 7.1% of the respondents respectively.

Parents are also said to actively support corrupt practices by their children. Respondents reported parents as drivers[49] of both academic corruption and non-academic corruption. To return to

---

[49] A brief word on the concept of "driver of corruption" is in order at this point given its lack of standard definition in the literature. The concept of driver of corruption is used interchangeably with causes of corruption in the literature (Shah, 2006; Søreide, 2014) and arenas for corruption (Søreide, 2014). The concept of arenas of corruption is similar to the concept of structures of corruption adopted by this research. But arena is used more broadly to encompass both agencies of and opportunities for corruption. However, this study separates agencies from structures and uses the concept of driver of corruption to refer to those individuals who actively initiate, prosecute, or participate in corrupt practices; that is, agents of corruption. It excludes predisposing conditions favourable to the practice of corruption. It argues for a distinction to be made between the human agencies who participate in

parents as drivers of corruption, among respondents who responded to items, "who in your opinion drives academic corruption?" and "who in your opinion drives non-academic corruption?" 5% and 10% respectively mentioned parents. With regard to parents holding high expectations of their children, reference has already been made to fear of parents as one of the causes of corruption in the opinion of respondents.

The influence of parents varies across the three subsectors. Relatively, it is highest in the polytechnic subsector where 7.6% of respondents mentioned parents as drivers of academic corruption and least in the college of education subsector at 0.8%; in the university subsector 2.4% of responses mention parents as drivers. The importance of parents as drivers of corruption is higher in non-academic than academic corruption. But there are notable subsector differences here as well. The percentage of respondents who mentioned parents as drivers of non-academic corruption in the universities, polytechnics, and colleges of education are 9.3%, 8.3%, and 1.1% respectively. The data thus suggest that parents of college of education students are the least involved in the life of their children at school.

6.9.4 Poor Work Ethics

Absenteeism, laziness, lack of focus, indiscipline, and lack of competence are some of the attitudes cited by respondents as causing corruption among students. Some respondents claim that students participate in corrupt practices "because they are lazy" to work or read "and want to pass with good grades"; some attribute it to the inability of students to cope with their studies, "inability to understand the course" as they put it; some students are "unready to learn"; some respondents speak of indiscipline; and others of lack of focus and self-confidence among students.

---

corruption and the structures in which these human agents operate because to do otherwise is to conflate structure with agency and thereby render the fight against corruption much more difficult.

6.9.5 Financial Gain

Desire for financial gain is another personal factor highlighted by respondents. This leads students to join cult groups or write tests and examinations for other students. According to one female student, "Sometimes, they don't give them full support of their education and sometimes it can be money matter (in the case of me filling this form, *I had to work to support myself*[50])". Associated with the desire for financial gain is that of climbing the ladder of social standing on campus.

On the whole, students are the single most important driver of non-academic corruption and second most important driver of academic corruption. When combined with the role of parents in higher education student corruption, personal characteristics become the most important factor by which to understand the phenomenon (see tables 6.4 and 6.5). In other words, though students frequently cite features of their institutions such as management, dean of students, vice-chancellor, lecturers, and lack of facilities as well as systemic factors such as the issue of the pressure for paper qualifications, they are more likely to blame "some students" for the corruption in their institutions than either the establishment or the society.

6.10 Establishment Characteristics

The most prevalent establishment characteristic relates to lecturers and their work. Comments on lecturers and lecturing include the following:

- "Poor lecturing ability" (Uniport, male student)
- "Greed and hatred by some lecturers" (Uniport, male student)
- "Lecturers not interested in lecturing" (Rivpoly, male student)
- "B.Sc degree holder lecturing 300 and 400 level students" (UNN, female student)
- "Some lecturers are just enemy of progress" (ABU, male student)

---

[50] My emphasis

- "Intimidation by lecturers" (Uniport, male student)
- Sexual harassment of female students
- Sale of hand-out
- Linking of continuous assessment to purchase of hand-out
- Demand for bribe

Other establishment characteristics include lack of infrastructural facilities, "lack of good teaching facilities and teaching aid", "inadequate learning facilities", "bad administration", "rules and regulations are not enforced, lack of proper monitoring of student's activities", and "laxity in leadership capabilities". According to one respondent, "the system and its principal officers (either lecturers or administrators)" encourage corruption while another holds that students are simply sucked into an already corrupt system – "students are obliged to be involved in an already corrupt system. So they cannot help it".

The role of establishment characteristics in driving higher education student corruption should not be limited to direct mentions of such characteristics in answer to the question of why students participate in corruption. The question of who drives corruption has much to tell as well. The following two tables capture the centrality of establishment characteristics in engendering corrupt conduct among students. Table 6.7 presents the frequency distribution of the drivers of academic corruption. Three of the drivers - lecturers, management, and staff, are part of the establishment characteristics of higher education institutions. Together, these make up about 57.8% of the 613 responses. Individually, lecturers were named by 68.5% of the respondents who completed the item on drivers, management by almost 17%, and staff by 19.6%.

Lecturers are arguably the most critical establishment characteristic in higher education student corruption. Their centrality is due to the nature of the educational process and the management systems of higher education institutions whereby lecturers not only perform the line functions but also dominate all the key managerial structures of higher education institutions. However, the role of lecturers in driving student academic corruption conflicts with the overall evaluation they

receive from students as people who take their work seriously unless they do so because of the benefits they derive from corrupt practices. This conflict will bear further investigation to determine if there is any relationship between corruption and commitment to duty among lecturers. Gender decomposition to determine if there is relationship between gender and the work ethics of lecturers may constitute an important aspect of investigating lecturer corruption. Currently, lectureships in the Nigerian higher education system is male dominated. As Figure 6.4 shows, except in two institutions, Ambrose Alli University, Ekpoma, and University of Benin, Benin City, males constitute over 50% of the teaching staff in all the universities shown. In some of them, males make up 90% of the teaching staff. On the whole, 87% of lecturers in the public universities in Nigeria are male and only 17% are female (Federal Republic of Nigeria, 2012b)

Figure 6.4 Distribution of Academic Staff by Gender
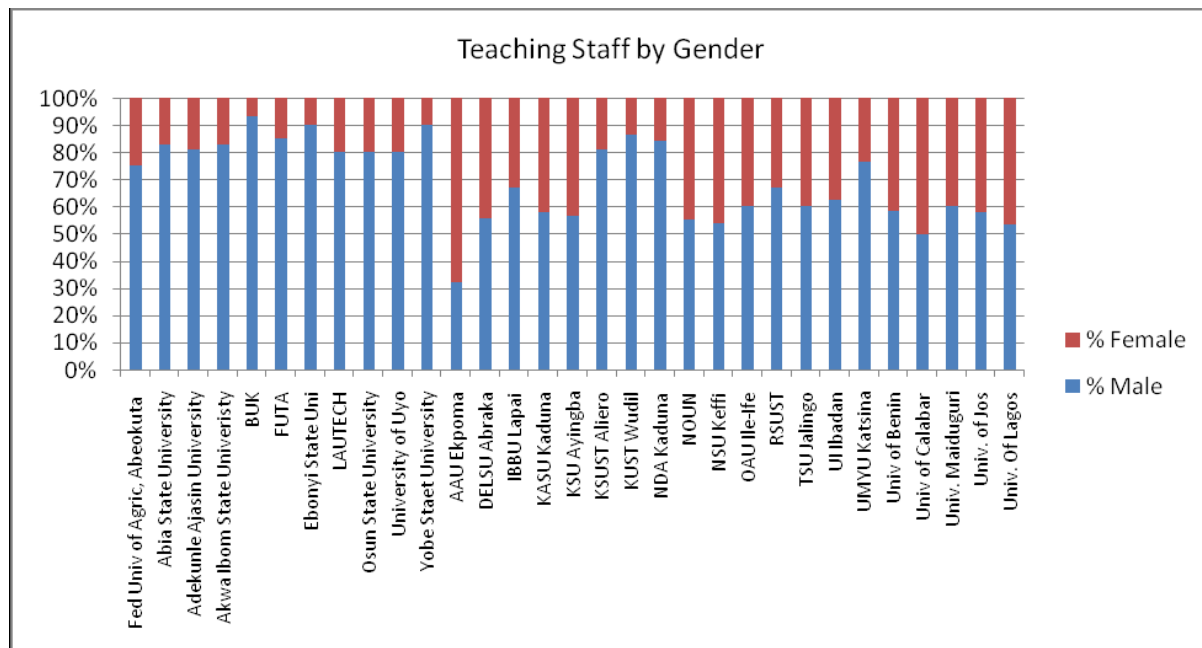
Source: Federal Republic of Nigeria (2012b, p. 65)

The roles which the other drivers of higher education student corruption play also depend on the establishment characteristics of institutions. For example, beside official corruption among

251

members of management and abuse of office by lecturers and administrative staff, perception of incompetence and maladministration is capable of making corruption to thrive among students.

Table 6.7: Frequencies: Driver Academic Corruption

		Responses		Per cent of Cases
		N	Per cent	
DAC[a]	Government	15	2.4%	4.5%
	Lecturers	231	37.7%	68.5%
	Management	57	9.3%	16.9%
	Parents	17	2.8%	5.0%
	Society	8	1.3%	2.4%
	Staff	66	10.8%	19.6%
	Students	219	35.7%	65.0%
Total		613	100.0%	181.9%

Establishment characteristics of higher education institutions are equally important as drivers of non-academic corruption as table 6.8 shows.

Table 6.8: Frequencies: Driver Non-Academic Corruption

		Responses		Per cent of Cases
		N	Per cent	
DNAC[a]	Government	16	3.6%	4.9%
	Lecturers	26	5.9%	8.0%
	Management	117	26.5%	35.9%
	Parents	33	7.5%	10.1%
	Society	9	2.0%	2.8%
	Staff	100	22.6%	30.7%
	Students	141	31.9%	43.3%
Total		442	100.0%	135.6%

According to table 6.8, management is the biggest single driver of non-academic corruption after students. It is followed by staff. Again, together, management, staff, and lecturers account for 55% of non-academic corruption in Nigerian universities, polytechnics, and colleges.

The role establishment characteristics play in promoting higher education student corruption is now an open secret in that beyond the opinion of 'interested' students, independent government established panels of inquiry into the universities also paint a gory picture of how lecturers indulge in various forms of misconduct with impunity and how management of tertiary institutions exhibit blatant disregard for accountability and due process. According to the Committee on Needs Assessment of Nigerian Public Universities "the universities have a common problem irrespective of region and ownership" (Federal Republic of Nigeria, 2012a, p. 9). The problems include too "much pressure (being) put on existing facilities mainly due to unplanned expansion" (Federal Republic of Nigeria, 2012a, p. 14); gross understaffing; dilapidated and decaying infrastructure; overcrowding in hostels; non-functional laboratories; etc.

A recent study of the university system carried out by the ICPC in collaboration with the NUC reveal a university system that revels in corruption. The study was designed

> To examine the practices, systems and procedures of the Universities and ascertain which of such practices, systems or procedures aid or facilitate fraud or corruption; impede on quality of service delivery, or open to manipulation and circumvention for personal gains and creating situation of deliberate or inadvertent victimization of students and staff (Aina, 2014, p. 3).

The study organized its findings into eight key areas

1. Management of Funds
2. Contract awards and contract management
3. Appointments, Promotion and Discipline of Staff
4. Admissions, Enrolment and Registration of Courses
5. Examination Administration and Award of Degrees
6. Departmental Administration and Faculty Governance

7. Research and Research Administration
8. Teaching and Learning Services and Facilities (Aina, 2014, p. 5)

The findings on all the above areas have very direct bearing on higher education student corruption but the 4th and 5th issue areas could also involve students as drivers. The findings in these areas are therefore reproduced below:

Admissions, Enrolment and Registration of Courses

1. Non-adherence to approved carrying capacity as set by the National Universities Commission (NUC) - with the consequences of over-stretching facilities, leading to crises
2. Non-adherence to rules and regulations guiding admission leading to admission of unqualified and less qualified candidates (leading to poor and unemployable graduates)
3. Political interference in the admission process - a major reason for which some more qualified candidates but without "god-fathers "are marginalised
4. Inadequate funding which encourages Universities to engage in over enrolment of students in order to generate funds to run the institution - low quality turn out resulting
5. Use of forged credentials, including admission letters and SSCE results with connivance of unscrupulous university officials.
6. Lack of proper monitoring and the absence of punitive measures taken against the University by NUC and FME
7. Cheating in the UTME and post-UTME
8. Registration without payment of appropriate fees
9. Offering of un-accredited courses and Registration of illegal students for same

Examination Administration and Award of Degrees
1. Sale of examination questions and other examination-related information by officials
2. Gratification and inducement of officials to manipulate award of marks/grades e.g. Swapping of grades in favour of students that did "sorting"
3. Students writing examination by proxy and Direct cheating in examinations

4. Delay of students from graduating due to poor record-keeping/management, delay in the release of examination results and deliberate victimisation by officials
5. Manipulation of internal examination processes leading to graduation of unqualified students and their enrolment for National Service
6. (Aina, 2014, pp. 11-13)

The universities thus provide large arrays of opportunities for corruption among students because the systems themselves are largely corrupt. The above observations of the Needs Committee show why some respondents would simply blame vice-chancellors for corruption in their institutions. They also explain why the literature largely regards students as victims rather than participants in corruption. An examination of a few of the above findings will make clearer how the system generates and nurtures corrupt behaviour. Non-adherence, whether to rules or carrying capacity, implies that the institutions will degenerate and descend into disorder and disorganization whereby the institution becomes more easily amenable to manipulation of which corruption among students is one expression. It may also lead to a personalization of rule, not only by vice-chancellors but also by lecturers and administrative staff. Rule personalization requires unofficial sources of power for its sustenance, reproduction, and regeneration. One such unofficial source of power is cult gangs.

According to one male ABU respondent students participate in corruption "may be because probably if the institution is not free and fair in terms of admitting qualified candidates, there this will subject to negative act by students". In other words, the failure of the institutions to operate with accountability and transparency generates negative behaviour, including corruption, among students.

6.11 Culture of Corruption

Students also explained corruption in terms of the culture of corruption. In response to the question of why students participate in corruption, 19.4% of the references referred to sociocultural factors. When each subsector is taken individually, culture of corruption is said to account for corruption by 38.3%, 34.5%, and 16.2% respectively of the responses from the

universities, polytechnics, and colleges. As drivers, only 3.7% and 5.6% of responses referred to the elements of culture of corruption, government and society, to account for academic and non-academic corruption respectively. These low percentages, however, do not properly reflect the importance of government in the provision of higher education in Nigeria. For example, some of the findings in the USSR Report relate to regulatory agencies failing in the performance of their regulatory functions and the failure of government to hold managers of higher education institutions to account. Compared to lecturers in other parts of the world, the Nigerian lecturer is more or less omnipotent in relation to the student. Thus, the Report also revealed

> Delay in take-off of Semester lectures and non-completion of syllabus by lecturers…Lack of commitment to work by the lecturers, leading to absenteeism and non-preparation for lectures…Frequent strike action by staff and students interrupting the academic calendar…Defiance of ban on Sales of lecture notes, hand-outs and "textbooks" hurried put together (Aina, 2014, p. 16)

6.12 Chapter summary

This chapter began with a proposal for treating students as a class even though they cannot be so defined in relation to the ownership of means of production. The argument was framed in terms of their being conscious of themselves as having a common interest distinct from the rest of society and organizing to pursue that interest. The introduction reviewed the role students have played in the Nigeria's political and social struggles to illustrate the argument. The chapter was divided into five substantive sections beside the introduction and conclusion. Section 6.2 presented students' ideas and concepts of corruption drawing from the focus group discussions. It highlighted the key elements in students' concept of corruption, showing that students approach the phenomenon from an essentially public office perspective. Section 6.3 gives a brief explanation of the concept of higher education student corruption. It informs that higher education student corruption is more of a label that a concept; that at best, it is a denotative concept. Section 6.6 identified and discussed the key themes in students' concept of higher education student corruption. The discussion and analysis is drawn from students' responses to questionnaire items which invited students to mention examples of corrupt practices in their institutions. It informed how about 50 patterns of corrupt conduct were identified by the

respondents and how these were classified into the twelve major themes discussed in the chapter. Section 6.7 explains how the classification was done against the backdrop of some extant schemas in the literature. Section 6.8 presents students' explanation of why some of them participate in corrupt practices. Their responses were divided into three major sets of factors: personal characteristics, establishment characteristics of the institutions, and the prevailing culture of corruption. In closing this chapter, the important role of personal characteristics in students' susceptibility to participation in corruption in the views of the students and how the establishment characteristics of the higher education institutions impact on the former to instigate corrupt behaviour by students needs to be noted. The attitude of the institutions vis-à-vis corruption among students is in turn mediated by the prevailing culture of corruption in the society.

The next chapter deals with the anticorruption regime governing higher education student corruption in Nigeria.

Chapter Seven: Nigeria's Anti-Corruption Regime

7.0 Introduction

This chapter presents and critiques the laws and institutions established by Nigeria to deal with problems of corruption in government as they relate to higher education student corruption. It traces the history of anticorruption legislation to the colonial era. It notes that the anticorruption legislations of the colonial period in Nigeria did not speak directly to corruption among students qua students but rather they addressed only corruption among public officials, especially civil servants. It notes that different pieces of legislations were applied in the northern and southern parts of the country and that under which law a matter is prosecuted determined the gravity of punishment meted out to offenders. The chapter also discussed the agencies through which corruption generally and among students is addressed. Such institutions include the ICPC, the EFCC, and the judiciary.

7.1 What is anticorruption regime?

Anti-corruption regimes consist of the legislations and institutional mechanisms formally established by a society for the purposes of combating, controlling and preventing corruption. The anti-corruption regimes adopted for combating corruption in a country and their success or failure tends to reflect the conceptualization of corruption in official circles. Thus, Persson, Rothstein, & Teorell, (2013) hold that the failure of anti-corruption reforms in Kenya and Uganda arise from conceptualization of corruption as a principal-agent problem rather than as a problem of collective action. Nigeria has many laws prohibiting corrupt practices in various sectors of society. It has also established numerous agencies to wage war against corruption. However, there have been more changes in the laws and the agencies than in the perception of the existence and magnitude of the phenomenon (Inegbedion, 2004).

In general, anticorruption legislations are less popular or less well known than anticorruption agencies and institutions; that is, people are less knowledgeable about anticorruption laws than they are about anticorruption agencies. Thus, nearly every city dweller in Nigeria is aware of the existence of EFCC and many people are aware of its sister agency, the ICPC. Indeed, awareness

of the existence of the EFCC has increased from 58% in 2005 to 73% in 2007 (Independent Advocacy Project, 2007). However, very few can claim any knowledge about the operations and the legal supports of the EFCC and the ICPC. Many Nigerians are aware that the judiciary has a central role to play in the fight against corruption as well as upholding the rule of law generally but few understand the intricacies of that role. Media reports on the activities of anticorruption agencies seem to be the primary source of information on such agencies for most people.

Generally, national anticorruption legislations as well as international conventions against corruption only tangentially apply to students because of the dominance of the public office conception of corruption in anticorruption legislative frameworks. For example, the Criminal Code Act and the Penal Code Act both define corruption from the public office perspective. The Criminal Code Act offers three definitions of official corruption with explanations in sections 98, 98A, and 98B as follows:

> 98 "Official corruption: public official inviting bribes, etc., on account of own actions".
> 98A "Official corruption: person giving bribes, etc., on account of actions of public official".
> 98B "Official corruption: person inviting bribes, etc., on account of actions of public official".

In each of the above explanations, the public official is held accountable for the giving or invitation to bribe. There is no question of members of the public attempting to corrupt the public official by offering bribes in the mind (eye) of the law. While Section 98A may cover cases of higher education students attempting to bribe lecturers and staff to influence their examination grades or secure hostel accommodation, there is no case law involving students being prosecuted for corruption as bribery in Nigeria. Even where they have been known to have influenced their grades, students have ordinarily not been handed over to law enforcement agents for prosecution. Their co-conspirators have also been largely subjected to only internal disciplinary processes. The case of Dr. Peter Otubu, an engineering lecturer at the Ambrose Alli University Ekpoma and a female student, Miss Judith Okuson, which made media headlines in Nigeria, illustrates the attitude of tertiary institutions on criminal conduct by community

members. This matter, though still alive in the court of public opinion, especially in the internet community, did not go for judicial determination.

In 2010, the online media in Nigeria was inundated with reports of a sex scandal involving Dr Peter Otubu and Ms Judith Okosun. According to media reports, Dr Otubu 'failed' Judith after agreeing to 'pass' her in exchange for sexual gratification. In this instant case, the University suspended the student for six semesters and terminated the appointment of the lecturer but did not handover the lecturer for prosecution. The student was charged with the offence of breaking her matriculation oath and the lecturer for misconduct. A case of kidnapping and extortion was subsequently opened against the student by the police in a magistrate court. The veracity of the claims of the student has been questioned in the media and the lecturer had also alleged that he was framed. For this chapter, all those issues are beside the point. What is of concern here is that the University assumed jurisdiction over the matter and even though crimes were allegedly committed by both parties; it dealt with the matter as a internal affair of the institution. The extent to which the University has come to assume jurisdiction over criminal matters involving its students is reflected in the failure to report such cases to the police. Thus, according to the police spokesperson, there had not been any report of the Judith Okosun affair to the police, neither were there any other cases of sexual harassment under investigation when he was questioned over the Judith Okosun affair. Going by Sahara Reporters' reports

> the police public relations officer, Peter Ogboi, … denied that the case was ever reported to the police, claiming that only an anonymous caller made him aware of the case on Friday night. Asked if the police prosecutes (*sic*) cases of sexual harassments in the state, he denied any knowledge of any active or rested case, but quickly added that students are free to come to the police to report cases of sexual harassment (Sahara Reporters, 2010).

The prosecution of students for corruption has largely been limited to malpractice in public examination malpractice. In other words, students are being treated as a special class by their institutions.

260

Consequently, anticorruption legislation in relation to students consists mainly in the statutes and rules and regulations of higher education institutions with the notable exemption of academic corruption, especially examination malpractices. This chapter presents a critical review of the Nigeria's various anti-corruption laws and the rules and regulations of higher education institutions governing the conduct of students. It also examines the roles of agencies established to fight against corruption.

7.2 Anti-Corruption Legislations

Successive governments in Nigeria have viewed law as the main instrument for dealing with the problem of corruption. Ocheje (2001, p. 174) refers to this approach to the problem of corruption as the "tradition of legal instrumentalism" while Sung (2002) calls it the "lawyer's approach". The tradition of legal instrumentalism or lawyer's approach entails the making of constitutional provisions and the enactment of laws which prohibit, criminalize, and penalize corruption. It assumes a causal connection between the enforcement of anticorruption legislation and lower corruption and "seeks to increase the monitoring of government performance and to intensify the detection and punishment of infractions" (Sung, 2002, p. 140). With regard to political corruption, the main mechanisms for the control of corruption "are the making of sworn declaration of wealth, passing draconian laws, and setting up anti-corruption agencies with sweeping powers" (Sung, 2002, p. 140). The practice of sworn declaration by politicians have been adopted by higher education institutions in Nigeria and many of them now incorporate affidavit of good conduct sworn to before a commissioner of oaths as part of their matriculation oath.

The Constitution of the Federal Republic of Nigeria 1999 provides that "the State shall abolish all corrupt practices"; the *Corrupt Practices and Other Related Offences Act* was enacted "to prohibit and prescribe punishment for corrupt practices and Other Related offences" and the *Examination Malpractices Act* is described as "an Act to create offences relating to examination malpractices and to prescribe penalties for such offences". It is the various constitutional provisions, Acts of the National Assembly, Laws of the States, and rules and regulations of higher education institutions that we employ the term anti-corruption legislation to describe.

Anti-corruption legislations in Nigeria date from the colonial era but such laws were not solely or specifically targeted at corruption. The colonial era legislations which contained provisions dealing with corruption include the *Criminal Code* and the *Penal Code.* These applied respectively to Southern Nigeria and Northern Nigeria (Adeniran, 2008). Consequently, laws specifically addressing the problem of corruption in public life are a recent phenomenon.

The United Nations Development Programme regards the existence of education sector specific anticorruption legislation or education sector specific provisions in anticorruption legislations as an indication that a government is concerned about corruption in the education sector (United Nations Development Programme, 2011). By this measure, Nigeria has been serious about dealing with the issue of corruption in the education sector going by the numerous laws dealing with examination malpractices. Whether something is actually being done, especially from the vantage point of the public and reduction in the perceived levels of corruption is a different matter. In reality, reports about corruption in the education sector indicate increase, not decrease. Thus in 2002 only 26 per cent of those polled by Transparency International considered corruption a problem in the education system (Erubami & Young, 2003) while 63 and 74 per cent respectively considered corruption in the education sector to be rampart in 2005 and 2007 (Independent Advocacy Project, 2005, p. 12; 2007, p. 16). The key legal instruments governing corruption in higher education in Nigeria are the *Constitution*, the Criminal Code, the Penal Code, the *EFCC Act*, the *ICPC Act*, the *Examinations Malpractices Act*, the various acts establishing the respective higher education institutions, acts establishing the various regulatory agencies in the higher education sector, National policies on education, rules and regulations of regulatory agencies and higher education institutions, and codes of conduct for the various professions in the higher education sector. In this sectionI shall highlight the provisions of these legal instruments as they relate to corruption in general and corruption in higher education in particular.

7.2.1 The Constitution[51]

The 1999 *Constitution of the Federal Republic of Nigeria* is the fundamental law governing every aspect of public activity in Nigeria. The constitution is the organic law of the land. It defines the character and powers of the state, often detailing powers and functions of the different levels and organs of government as well as streamlining the interrelationships among these various bodies. In the case of Nigeria, the constitution defines the country as a federal republic and distributes the powers of the state among the three layers of government it established. For example, sections 4, 5, and 6 outline the legislative, executive and judicial powers of the Federal, State, and Local Governments. Thus, S.4 (2) vests exclusive authority in the National Assembly "to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter" in the Exclusive Legislative List; and S.4 (3) grants it concurrent authority with the Houses of Assembly of the States on matters included in the Concurrent Legislative List (Federal Republic of Nigeria, 1999). Section 4 (7) empowers the House of Assembly of a state "to make laws for the peace, order and good government of the State or any part thereof with respect to" any matter in the Concurrent Legislative List but not in the Exclusive Legislative List with the qualification that in the event of a conflict between a law made by the National Assemble and that made by a House of Assembly of the State, the Act of the National Assembly shall prevail and the Act of a House of Assembly rendered void to the extent of the inconsistency. In line with the principle of the supremacy of the constitution in federations, the judiciary is vested with the responsibility of determining the constitutionality of any legislation and to resolve legislative contests between Federal and State legislatures (Federal Republic of Nigeria, 1999 S. 4 (8)). The scope of the legislative powers of the National Assembly and the state Houses of Assembly is defined in the Second Schedule to the Constitution.

The *Constitution of the Federal Republic of Nigeria 1999* set the tone and the stage for anticorruption theory and practice in the country when it declared in subsection 5 of section 15

---

[51] Although more recent in origin than both the Penal Code and the Criminal Code, the examination of anticorruption legislation begins with the current constitution of Nigeria because the constitution is the organic and primary law from which all other laws receive live.

that "the State shall abolish all corrupt practices and abuse of power"; it also thereby gives constitutional recognition to the existence of corruption and creates a mandate for its *'abolition'*. It is indeed very significant that the abolition of corruption is made one of the key political objectives of the country which all three tiers of government are expected to pursue (Tobi, 2008). The Constitution contains provisions which are expected to govern the conduct of public officers and constitutes the basis of all other laws on the education sector. The infringement of the provisions of the constitution may amount to misconduct, a form of corruption. With regard to the issue at hand, the constitution as an anticorruption legislation, the key provisions relate to those concerning appointments into public offices and the obligation of the state to "abolish corrupt practices and abuse of power" (S.15 (5)) contained in Chapter II; fundamental human rights in Chapter IV, especially sections 36 and 46; and the code of conduct for public officers in Part 1 of the Fifth Schedule.

Chapter II of the 1999 Constitution as indicated earlier in Chapter Four, deals with the fundamental objectives and directive principles of state policy and has twelve sections, 13-24. Sections 14, 15, 23, and 24 have implications for corruption. Section 14 (3&4) require that the composition of various governments in the Federation and their agencies reflect the federal character and the diversities of the people making up the country, state, or local government area as the case may be. With respect to corruption in higher education, this provision forms the bedrock of the discriminatory quota access policy whereby different levels of performance are required of candidates from different parts of the country for admission into the nation's higher education institutions. It also has a major bearing on the ethnic composition of the staff of higher education institutions and the attempt by host communities of such institutions to assert ownership rights. Section 15 (2) enjoins the Federal Government to actively encourage national integration and to prohibit discrimination on "grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties". Section 15 (3) (a) provides that the state should promote national integration by providing adequate facilities for and encouraging the mobility of people, goods and services. Education, especially higher education is regarded as a key vehicle for promoting national integration….

Section 13 enjoins all organs of government and "all authorities and persons exercising legislative, executive or judicial powers, to conform to, observe and apply the provisions of this Chapter of this Constitution." It is therefore incumbent on all public officers to observe and apply the fundamental objectives and directive principles of state policy.

However, governments at various levels in Nigeria have hitherto regarded Chapter Two provisions as non-justiciable "mere directive policy" rather than legally binding but the ECOWAS Court of Justice overruled this position when it found for SERAP (Socio-Economic Rights and Accountability Project) with specific reference to the right to education that the Nigerian child has a right to education. The Federal Government had argued that

> the court lacks jurisdiction to entertain the action filed by SERAP on the grounds that the Compulsory and Basic Education Act 2004 and the Child's Rights Act 2004 are Municipal Laws of Nigeria and not subject to the jurisdiction of the court because it is not a treaty of ECOWAS; that *the educational objective of Nigeria under the 1999 Constitution is non-justiciable or enforceable*; and that SERAP has no *locus standi* to institute or maintain the action (cited by Drakopoulos, 2009; emphasis mine).

SERAP, an Abuja based NGO had taken the Universal Basic Education Commission after the ICPC discovered that there had been "massive corruption and mismanagement of UBEC funds [that were] meant to improve the quality of education and access to education of every Nigerian child" (Drakopoulos, 2009) to compel it to respect the right of the Nigerian child to education.

Section 36 guarantees the right of all Nigerians to fair hearing. It provides *inter alia*

> 36. (1) *In the determination of his civil rights and obligations*, including any question or determination by or against any government or authority, a person shall be entitled to a **fair hearing** within a reasonable time by *a court or other tribunal established by law* and constituted in such manner as to secure its *independence and impartiality.*
>
> 36. (4) Whenever any person is charged with a criminal offence, he shall, unless the charge is withdrawn, be *entitled to a fair hearing in public* within a reasonable time by a **court or tribunal** (my emphasis)

The two subsections cited above have serious implications regarding the jurisdiction of higher education institutions to deal internally with certain cases of higher education student corruption with respect to procedure or juridical competences. ….

Section 46 on its part vests in the High Court original jurisdiction to hear and determine any application requesting the enforcement of the fundamental human rights of a person alleging the infringement of any rights provided for in Chapter IV of the Nigerian Constitution 1999. Thus,

> **46.** (1) Any person who alleges that any of the provisions of this Chapter has been, is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress.
>
> (2) Subject to the provisions of this Constitution, a High Court shall have original jurisdiction to hear and determine any application made to it in pursuance of this section and may make such orders, issue such writs and give such directions as it may consider appropriate for the purpose of enforcement or securing the enforcing within that State of any right to which the person who makes the application may be entitled under this Chapter.

This provision has had major impacts on the determination of corruption cases in higher education institutions in the country. Higher education institutions exercising domestic jurisdiction in higher education student corruption cases often find themselves embroiled in litigation over procedures and having their decisions overturned in the Courts. One good example of this is the case of *Garba and Ors v. The University of Maiduguri* discussed in Section 8.4

Section 1 Part 1 of the Fifth Schedule provides that "a public officer shall not put himself in a position where his personal interest conflicts with his duties and responsibilities" while Section 15 Part II of the Fifth Schedule defines public officers to include "all staff of universities, colleges and institutions owned and financed by the Federal, State Governments or local government councils". Section 15(1) of Part I established a Code of Conduct Tribunal to deal with contraventions of the conflict of interest provisions of the Constitution. With respect to

higher education institutions, the code of conduct for public officers applies to corruption among staff but not students.

7.2.2 The Criminal Code Act 1990

The Criminal Code Act, Cap 77 Laws of the Federation of Nigeria 1990, deals with "corruption and abuse of office" in Chapter 12 comprising sections 98 – 111; Chapter 13 on "selling and trafficking in offices"; and Chapter 14 titled "offences relation (sic) to the administration of justice". The essence of corruption from the provisions of the Criminal Code Act is abuse of office. The Criminal Code also criminalizes corruption, that is, it makes corruption a criminal offence in the order or category of a felony. Chapter 1 S.3 of the Criminal Code Act defines a felony as "any offence which is declared by a law to be a felony, or is punishable without proof of previous conviction, with death or with imprisonment for three years or more". S.98 (1) (b) (ii) expressly describes official corruption as a felony which is punishable on conviction with imprisonment for seven years. The focus of the Criminal Code Act with regard to corruption is primarily on corruption on the part of public officials and therefore official corruption. According to S. 98D a public official is any person employed in the public service or any judicial officer. The Criminal Code provides in S.98 (1) that

Any public official (as defined in section 98D) who-

(a) corruptly asks for, receives or obtains any property or benefit of any kind for himself or any other person; or bribes, etc.,

(b) corruptly agrees or attempts to receive or obtain any property or benefit of any kind for himself or any other person, on account of-

(i) anything already, done or omitted, or any favour or disfavour already shown to any person, by himself in the discharge of his official duties or in relation to any matter connected with the functions, affairs or business of a Government department, public body or other organisation or institution in which he is serving as a public official, or

(ii) anything to be afterwards done or omitted, or any favour or disfavour to be shown to any person, by himself in the discharge of his official duties or in

relation to any such matter as aforesaid, *is guilty of the felony of official corruption and is liable to imprisonment for seven years*

However, the construction of official corruption is sufficiently broad to also account for non-officials who are party to corruption transaction or exchange. For example, S.98A makes it an offence of corruption to influence or attempt to influence public officials in the exercise of the duties of their office official corruption.

7.2.3 The Penal Code 1959

The Penal Code is applicable only in the 19 Northern States carved out of the former Northern Region of Nigeria. In comparison to the Criminal Code Act, the Penal Code is corruption friendly. The sections dealing with corruption are 289-294; these are collectively titled "offences by or relating to public servants". Our contention that the Penal Code is corruption friendly is based on the punishments it provides for in comparison to the Criminal Code Act, the EFCC Act, and the ICPC Act. For example, Section 289 of the Penal Code provides that a public official who accepts or agrees to accept or attempt to obtain any gratification from any person in order to do or not to do an official act, favour or disfavour any person in the discharge of his/her official functions shall be punished with imprisonment of up to three years and thirty lashes in contrast to the Criminal Code Act which prescribes a term of imprisonment of seven years for the same offence.

7.2.4 The EFCC Act 2004

The EFCC Act established the Economic and Financial Crimes Commission which has wide ranging powers in the fight against corruption in Nigeria. The core of its operations relate to economic and financial crimes in which students *qua* students are hardly directly involved. However, Section 7(2) of the Act empowers the Commission to be the "co-ordinating agency for the enforcement of the provisions of" several other legislations. Thus S.7 (2) (e) entrusts the Commission with the enforcement of the Miscellaneous Offences Actwhich creates a number of offences that may be tried by a Federal High Court and prescribes the penalties to be imposed on

conviction for such offences. Among the crimes so created are: forgery; wilful destruction of public property; arson of public building, etc.; and cheating at examinations. For example, S.2(c) of the Miscellaneous Offences Act provides that any person who

> makes or utters any forged document, … knowing it to be false or with intent that it may in any way be used or acted upon as genuine, whether in Nigeria or elsewhere to the prejudice of any person or with intent that any person may, in the belief that it is genuine, be induced to do or refrain from doing any act or thing, whether in Nigeria or elsewhere, shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding 21 years without the option of a fine.

The Miscellaneous Offences Act also provides in S. (3) that "Any person who unlawfully or with intent to destroy or damage any public property removes, defaces or damages any public property [such as] a building, structure, vehicle or anything whatsoever shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding fourteen years without the option of a fine". Arson of a public building attracts life imprisonment on conviction according to the provisions in S.4. It is worth underscoring that **some of our respondents regard destruction of school properties as corruption**

By far the most important provisions of the Miscellaneous Offences Act with reference to the jurisdiction of the EFCC in higher education student corruption relate to cheating at examinations and forgery. Having already dealt with forgery, we will here focus on cheating at examinations. The Miscellaneous Offences Act makes the following provision in §S.16

> (16) Any person who, in anticipation of, before or at any examination-
>
> (a) by any fraudulent trick or device or in abuse of his office or with intent to unjustly enrich himself or any other person procures any question paper produced or intended for use at any examination of persons whether or not the question paper concerned is proved to be false, not genuine or not related to the examination in question; or
>
> (b) by any false pretence or with intent to cheat or secure any unfair advantage for himself or any other person, procures from or induces any other person

269

to deliver to himself or another person any question paper intended for use at any examination; or

(c) by any false pretence, with intent to cheat or unjustly enrich himself or any other person whatsoever buys, sells, procures or otherwise deals with any question paper intended for use or represented as a genuine question paper in respect of any particular examination; or

(d) fraudulently or with intent to cheat or secure any unfair advantage for himself or any other person or in abuse of his office procures, sells, buys or otherwise deals with any question paper intended for the examination of persons at any examination,

shall be guilty of an" offence and liable on conviction to imprisonment for a term not exceeding ten years:

Provided that-

(i) a person who is a child or a young person (within the meaning of the Children and Young Persons Law) that is a person who has not attained the age of seventeen years, shall not be punished for an offence under this subsection but shall be dealt with under the provisions of the Children and Young Persons Law;

(ii) where the accused is an employee of anybody concerned with the conduct of examinations, a head teacher, teacher or other person entrusted with the safety and security of question papers, he shall be proceeded against and punished as provided in this section, notwithstanding that the question paper concerned is proved not to be live, genuine or does not relate to the examination concerned.

These are offences which students may commit as students and hence bring them under the purview of the Commission. S.16 of the Miscellaneous Offences Act is partly reproduced in S.1 of the Examination Malpractices Act of 1999 and has been reproduced in student handbooks of a number of higher education institutions and agencies regulating the higher education sector in Nigeria. Among such higher education institutions are the National Open University of Nigeria (NOUN), the University of Port Harcourt, and the Federal College of Education (T), Omoku.

However, the competency and jurisdiction of the EFCC in respect of examination malpractices has not gone uncontested. For instance, Kayode Ajulo has contended that the organization is not empowered to investigate cases of examination malpractice and that this power vests in the Nigeria Police Force (Prince, 2009). The contention was made in an attempt to secure a restraining order against the "EFCC and its Chairman, Mrs. Farida Waziri, from harassing, intimidating or compelling them to act against their conscience" over the organization's investigation of two students of the University of Abuja, Yinka Afolayan and Bright Edobor, for allegedly writing examination for the Director of Operations of the Economic and Financial Crimes Commission.

7.2.5 The ICPC Act 2000

The *Corrupt Practices and Other Related Offences Act, 2000* **is** "An Act to prohibit and prescribe punishment for corrupt practices and Other Related Offences and to establish an Anti-Corruption Commission". The anticorruption commission so established is the Independent Corrupt Practices Commission (ICPC). The Act defines corruption by enumerating practices it regards as corrupt without defining the term "corrupt" itself. According to section 2 of the Act, corruption "includes bribery, fraud, and other related offences." Under the Act it is an offence for public officers to receive gratification or inducement to do or not to do anything in the course of their work (section 12). It is also an offence to give or promise to give any form of inducement or gratification to influence public officers to do or not to do any act in the performance of their normal duty. In addition to creating the offence of corruption and prescribing punishment thereto, the Act also established the Independent Corrupt Practices and Related Offences Commission. It has been described as "the most comprehensively drafted and tightly worded anti-corruption piece of legislation in the history of Nigeria" (Ocheje, 2001, p. 177).

The Corrupt Practices and Other Related Offences Act 2000 is one of the pillars defining the professional conduct of teachers. The Teachers Registration Council of Nigeria therefore advises teachers to familiarize themselves with its provisions (Teachers Registration Council of Nigeria, 2010). Thus, though the Act makes no direct reference to teachers at any level, the definition of official and public officer it provides covers them. It defines a public officer as "a person

employed or engaged in any capacity in the public service of the Federation, State or Local Government, public corporation or private company" and an official as

> any director, functionary, officer, agent, servant, privy or employee serving in any capacity whatsoever in the public service or other public body, or in any private organization, corporate body, political party, institution or other employment whether under a contract of services or contract for services or otherwise, and whether in an executive capacity or not;

It has already shown in Section 7.2.1 that the Constitution classifies staff of universities, colleges of education, and polytechnics as public officers. Lecturers and senior administrative staff of higher education institutions are therefore subject to the jurisdiction of the Commission, the Corrupt Practices and Other Related Offences Commission, established by the ICPC Act for its implementation. By making bribing a public official a crime of corruption under its provision, the Act also covers higher education student corruption. It is perhaps in recognition of this that the Commission has established Anti-Corruption and Transparency Units (ACTU) in many universities, polytechnics, and colleges of education.

7.2.6 Examinations Malpractice Act 33 of 1999

The Examinations Malpractices Act creates offences relating to examination malpractices and prescribes punishments thereto. Under the act, examination malpractice simply refers to "an act which constitutes an offence under this Act". Sections 1-12 of the Act itemize the acts which constitute offences of examination malpractice and the persons, including corporate bodies, who can commit an offence of examination malpractice and the penalty they are to pay. These include cheating at examinations, stealing of question papers, impersonation, disorderly conduct at examinations, causing disturbances at examinations, misconduct at examinations, obstruction of supervisors, forgery of result slips, breach of duty, conspiracy to commit an offence of examination malpractice, abetting or aiding an offence, etc. For example, Section 1 of the Act dealing with cheating provides as follows:

> (1) A person who, in anticipation of, before or at any examination-

(a) by any fraudulent trick or device or in abuse of his office or with intent to unjustly enrich himself or any other person procures any question paper produced or intended for use at any examination of persons, whether or not the question paper concerned is proved to be false, not genuine or not related to the examination in question; or

(b) by any false pretence or with intent to cheat or secure any unfair advantage for himself or any other person, procures from or induces any other person to deliver to himself or another person any question paper intended for use at any examination; or

(c) by any false pretence or with intent to cheat or unjustly enrich himself or any other person buys, sells, procures or otherwise deals with any question paper intended for use or represented as a genuine question paper in respect of any particular examination; or

(d) fraudulently or with intent to cheat or secure any unfair advantage for himself or any other person or in abuse of his office, procures, sells, buys or otherwise deals with any question paper intended for the examination of persons at any examination, commits an offence.

(2) A person guilty of an offence under subsection (1) of this section is liable on conviction-

(a) in the case of a person under the age of eighteen years, to pay a fine of Nl00,000 or imprisonment for a term not exceeding three years or to both such fine and imprisonment;

(b) in the case of a principal, teacher, an invigilator, a supervisor, an examiner, or an agent or employee of the examination body concerned with the conduct of an examination, to imprisonment for a term of four years without the option of a fine; and

(c) in any other case, to imprisonment for a term of three years without the option of a fine.

(3) Where the person accused of the offence is an employee of an examination body concerned with the conduct of examinations or a head teacher, teacher or other person entrusted with the safety and security of question papers, he shall be proceeded against and punished as provided in this section, notwithstanding that the question paper concerned is proved not to be live, genuine or does not relate to the examination concerned.

By the provisions of the Act, cheating entails fraudulently obtaining for self or others, question papers for use at any examination, whether genuine or not, for profit or intent to procure or secure any form of advantage. This may be in abuse of office by persons charged with the conduct of examinations. Particular acts of cheating identified by the Act include intent to cheat or secure unfair advantage; procure, sell, or buy question paper intended for an examination. Section 1(2) stipulates penalties for various categories of offenders such as minors (persons under the age of eighteen years), principals, teachers, invigilators, supervisors, examiners, employees of examination bodies, and agents of any of the above persons. The penalties range from a "fine of N100,000.00 or imprisonment not exceeding three years or both such fine and imprisonment" for minors to imprisonment for four years without the option of a fine in the case of a principal, teacher, invigilator, supervisor, examiner, employee of examination bodies, and agent. Anyone entrusted with the safety and security is liable to a prison term of three years without the option of a fine in addition to whatever disciplinary actions that may be taken against them by their employers. It is significant that students are not listed among those who could commit an offence of cheating at an examination. The non-mention of students may not be unconnected with the concern with public pre-tertiary examinations which were experiencing massive paper leakages at the time the law was made and the fact that universities, colleges, and polytechnics are not mentioned directly as examination bodies. Rather, the Act declares that

> examination body" means the West African Examinations Council, the Joint Admissions and Matriculation Board, the National Teachers Institute, the National Business and Technical Education Board, the National Board for Educational Measurement and any other body established by the Government to conduct an examination;

However, what is important for us is the effect this apparent exclusion has had on the capacity of higher education institutions to deal with cases of examination malpractice in their institutions. While offenders may be subjected to internal disciplinary processes of their organizations, the law requires their prosecution in a court of law following due process. When higher education institutions deal with cases of criminality through internal disciplinary process and fail to hand

suspected student offenders over to the police for prosecution, the courts tend to overturn their decisions on technicalities and have such students reinstated as is illustrated by *Garba v. University of Maiduguri.*

Provisions of the Act relating to conduct at examinations are usually reproduced in the academic regulations given to students on registration at universities, colleges, and polytechnics. However, such reproduction does not seem to have had much impact on those charged with the conduct of examinations including lecturers, invigilators, supervisors, heads of department, and administrators. Offenders are not normally handed over to the police for prosecution. According to Belo-Osagie (2011b) "perpetrators are hardly ever punished, prompting stakeholders, who participated in an examination summit organised by the Federal Ministry of Education in Abuja … to seek a change".

The Registrar of the National Examinations Council (NECO), Prof Promise Okpala, blames the non-implementation of the Examinations Malpractice Act on cultural and structural factors. With regard to culture, he argues that Nigeria does not have a culture of litigation of those involved in crime. According to Prof Okpala, "We are not a culture that treats illegality the white man's way. We are a culture of 'go and beg him', or 'go and settle'" (Belo-Osagie, 2011a). In other words, recourse to the courts is not popular, and informal channels of resolving issues of breaches of rules and regulations or even laws are preferred. The structural factors relate to the limitation of jurisdiction in cases under the Act to Federal High Courts. According to Prof Okpala,

> The Exam Malpractice Act forecloses the jurisdiction of courts that can hear malpractice cases. Only Federal High Courts can try the cases. We are agitating for state high courts or even magistrates courts to assume jurisdiction (Belo-Osagie, 2011b).

7.2.7 Acts establishing higher education institutions

Universities, polytechnics, and colleges of education in Nigeria are established by laws enacted by their owner governments, and where privately owned, their establishment requires approval

by a government regulatory agency as well as the Federal Executive Council, the highest policy making body in the country. Such laws generally establish, constitute, and prescribe the powers and functions of the organs of the particular institution. They also lay out procedures for dealing with discipline of both staff and students. Among the key disciplinary issues all institutions have to deal with is that of misconduct, a term which embraces criminal conduct as well as moral wrongdoing. However, the parent acts of tertiary institutions hardly spell out what constitutes misconduct. The onus of doing so has therefore rested on individual higher education institutions. For example, at the Ambrose Alli University, Ekpoma, misconduct (with particular reference to junior staff) refers to "any conduct which is prejudicial to the good name and/ or reputation of the University, and/or discipline and the proper administration of the business of the University" (Edeko, 2011a, p. 94). Edeko holds that

> misconduct includes corruption, dishonesty, drunkenness in the course of duty, false claims against the university or any of its constituent parts, insubordination, and negligence of duty, falsification, suppression, or unauthorized destruction of accounts or records, unauthorized dissemination or disclosure of university information or records, conviction for a criminal offence other than traffic offences, absence from duty without leave from place of work for three consecutive or more days without satisfactory reason; the performance of all other acts which are inconsistent with, or failure to perform acts which are essential for the proper execution of duties for which the member of staff was employed; disobedience of any order issued by any legally constituted authority of the university; failure to appear to answer questions satisfactorily in any investigation before any person or body designated by the university or any matter provided for in or arising out of any of the affairs of the university, of these regulations (Edeko, 2011a, p. 94).

The University of Port Harcourt makes a distinction between misconduct and criminal conduct as follows

Table 7.1: Components of Misconduct & Criminal Offences: Uniport

Misconduct	Criminal Offences
Examination misconduct	Fraud
Unruly behaviour	Theft
Indecent behaviour	Burglary
Vandalism	Assault occasioning harm
Unauthorized transfer of bed space	Murder
Unauthorized displacement of University property	Membership of a secret cult
Pilfering	Possession of fire arms
Insubordination	Arson
Direct sale of bed space. Squatting in halls of residence	Rape
Infringement of other University regulations.	Possession and use of hard drugs and drug trafficking.
Extortion of money under any guise	Forging of Success Letter for NYSC mobilization
Molestation of Hall staff, Lecturers and other University Workers.	Stealing of NYSC Call-up Letter(s).
Seizure of private/commercial vehicles	
Locking of the gate during demonstration	

Source: (University of Port Harcourt, 2008, p. 30)

The Table 7.1 above shows clearly that criminal conducts are listed as misconduct in relation to students. Thus, although the Examinations Malpractices Act criminalizes examination malpractice and entrust the EFCC with the prosecution of offenders, the University of Port Harcourt classifies it as a misconduct which is subject to the domestic jurisdiction of the institution.

7.2.8 Statutes, Bye-laws, Rules and Regulations of HEIs

Universities, polytechnics, and colleges of education are empowered to make statutes, bye laws, rules and regulations to regulate the conduct of their staff and students. Each university is empowered to make statues for its governance as well as its relationship with the external environment. In other words, the laws establishing universities make them autonomous self-regulating agencies. Thus, each university is granted powers to make statutes to (among other things)

1. provide for the composition and constitution of any authority of the University;
2. specify and regulate the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;
3. regulate the admission of students, and their discipline and welfare;
4. determine whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Act;
5. provide for any other matter for which provision by statute is authorized or required by this Act.

The Federal Universities of Agriculture Act, the Federal Universities of Technology Act, and the various Acts establishing the individual conventional universities all contain identical provisions in respect to the above. Polytechnics are also granted powers to make byelaws to regulate their activities. For example, Section 25 (1) of the Federal Polytechnics Act provides that

> Each Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders pursuant to paragraph 7 of the Schedule to this Act ("The Federal Polytechnics Act," 1979)

Paragraph 7 of the Act lists the functions and powers of the Governing Council of the Polytechnic. But these powers are not as extensive as those of the universities. The Acts establishing the Federal Colleges of Education do not contain corresponding provisions

delegating law making powers to individual colleges. Neither the Governing Council nor the Academic Board is assigned any powers or functions that can be described as legislative except in relation to students' discipline. The powers and functions of the Council under the Federal Colleges of Education Act as spelt out in Section 6 are

(1) For the carrying out of the functions of each College, the Council shall have power to-

(a) hold examinations and grant diplomas, professional certificates and other distinctions to persons who have pursued a course of study approved and accredited by the National Commission for Colleges of Education;

(b) demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of the Minister, from time to time determine;

(c) hold public lectures and undertake printing, publishing and bookselling;

(d) make gifts for any charitable purpose;

(e) hold examinations in education for qualified teachers;

(f) provide amenities for and make such other provision for the welfare of the staff of the College;

(g) invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the Minister;

(h) borrow money within Nigeria in such manner and upon such security as the Minister may from time to time authorize;

(i) enter into such contracts as may be necessary or expedient for carrying into effect the objectives of the College;

(j) recruit staff of the right calibre and determine the career structure of such staff;

(k) establish and maintain such schools and other teaching units within the College or extramural departments as the Council may, from time to time, decide;

(l) institute and award fellowships, medals, prizes and other titles;

(m) mount exhibitions and displays designed to foster an appreciation of trends in and the scope and requirements of education;

(n) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;

(0) create lectureships and other academic posts and offices and to make appointments thereto;

(p) encourage and make provision for research in the College; and

(q) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College.

(2) The power of the Council to establish further schools within the College shall be exercisable by order and not otherwise ("Federal Colleges of Education Act," 1986).

On its part, the Academic Board was responsible for

(a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinctions;
(b) making periodic reports on such academic matters to the Council as the Council may from time to time direct;
(c) discharging any other functions which the Council may from time to time delegate to it ("Federal Colleges of Education Act," 1986).

However, all three types of higher education institutions were assigned rule making responsibility for students' discipline. Regarding student discipline therefore, and with particular reference to misconduct which is the main subject for discipline in all the establishment acts, the various institutions enjoy some level of autonomy in deciding on which conducts or behaviours constitute misconduct and how they should be handled. The provisions of the acts establishing the various categories of higher education institutions at the Federal level are given in Table 8.

Table 7.2: Provisions on Discipline of Students in Establishment Acts

Name of Act	Section & title	Provision
Federal Universities of Technology Act, 1986	17. Discipline of students	(1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct- (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or (c) that the student be rusticated for such period as may be specified in the direction; or (d) that the student be expelled from the University.

		(2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit. (3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending. (4) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate. (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct. (6) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.
Federal Universities of Agriculture Act, 1992	21. Discipline of students	(1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, in consultation with the Senate and, without prejudice to any other disciplinary power conferred on him by statute or regulations, direct that- (a) the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or (b) the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or (c) the student be rusticated for such period as may be specified in the direction; or (d) the student be expelled from the University. (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall after causing such inquiry to be made in the matter as the Council considers just, confirm or set aside the direction or modify it in such manner as the Council thinks fit.

		(3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending. (4) The Vice-Chancellor may delegate his powers under this section to a Disciplinary Committee consisting of such members of the University as he may nominate. (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct. (6) Without prejudice to the provision of subsection (1) of this section, nothing shall prevent the Vice-Chancellor from taking an immediate disciplinary action against a student where he deems fit, and report thereafter to the Senate. (7) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section. (8) No staff or student shall resort to a law court without proof of having exhausted the integral avenues for settling disputes or grievances or for seeking redress. (9) The Visitor shall be the final arbiter on staff and student discipline, and his decision shall not be contestable in any court of law in Nigeria. (10) Nothing in this subsection shall affect any power of a court of competent jurisdiction to enforce the fundamental right of any aggrieved citizen as enshrined in the Constitution of the Federal Republic of Nigeria 1999.
Federal Polytechnics Act, 1979	18. Discipline of students	(1) Subject to the provisions of this section, where it appears to the Rector that any student of the polytechnic has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Act or regulations made hereunder direct- (a) that the student shall not during such period as may be specified in the direction, participate in such activities of the polytechnic, or make use of such facilities of the polytechnic, as he may specify; or (b) that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; or (c) that the student be suspended for such period as may be specified in the directions; or (d) that the student be expelled from the polytechnic. (2) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council, either directly or through some other staff, may

		apply such disciplinary actions as are specified in subsection (1) of this section to any student of the polytechnic who is guilty of misconduct. (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within a period of 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit. (4) The fact that an appeal from a direction is brought in pursuance of subsection (3) of this section shall not affect the operation of the direction while the appeal is pending. (5) The Rector may delegate his power under this section to a disciplinary committee consisting of such members of the polytechnic as he may nominate. (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the polytechnic otherwise than on the ground of misconduct. (7) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section. (8) In all cases under this section, the decision of the Council shall be final.
Federal Colleges of Education Act	23. Discipline of students	(1) The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline (including lack of diligence) by students and such rules may make different provisions for different circumstances. (2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section. (3) Subject to the provisions of subsection (1) of this section, where it is proved during the enquiry that any student of the College has been guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Act or any regulations made thereunder, direct- (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he may specify; or (b) that the activities of the student shall during such period as may be specified in the directions, be restricted in such

		manner as may be so specified; or
		(c) that the student may be suspended for such period as may be specified in the direction; or
		(d) that the student be expelled from the College.
		(4) Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subsection (3) of this section to any student of the College who is guilty of misconduct.
		(5) Where a direction is given under subsection (3) (c) or (d) of this section in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit.
		(6) The fact that an appeal from a direction is brought in pursuance of subsection (5) of this section shall not affect the operation of the direction while the appeal is pending.
		(7) The Provost may delegate his powers under this section to a disciplinary committee consisting of such members of the College as he may nominate.
		(8) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.
		(9) It is hereby declared that the direction under subsection (3) (a) of this section may be combined with a direction under subsection (3) (b) of this section.
		(10) In all cases under this section, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

Source: Various legislations indicated in the first column.

The preceding section has already shown how one institution in the exercise of its powers to make statutes defined misconduct and differentiated it from criminal conduct. Another institution, the Federal University of Technology, Akure, seeks to exercise its statute making power to regulate the conduct of its students not only on-campus but off campus as well. For example, the handbook of information it issues to students contains the following offences

a. Physical assault or battery on another student outside the University premises.
b. Insulting, rude, impolite behaviour on another student outside the University premises.
c. Riotous behaviour on-campus or off-campus, in bus or taxi, bus stops, in the hall or classroom and refusal to pay bus/taxi fare on or off campus
d. Exhibiting insulting, rude, impolite behaviour by student or group of students on staff outside University premises (Federal University of Technology Akure, 2008, p. 40).

The penalties for the above offences are as follows: 'a', above is expulsion from the University; 'b', issuance of letter of warning; 'c', suspension for one semester; and 'd', suspension for two semesters.

7.2.9 International conventions and covenants

The provisions of certain international conventions and treaties have direct bearing on higher education student corruption. Those with immediate implication include the ECOWAS Treaty, the African Charter on Human and Peoples' Rights, the African Union Convention against Corruption. The provisions of the ECOWAS Treaty on the right of Nigerian citizens to education have been tested in the ECOWAS Court. So also have provisions of the African Charter. The ECOWAS Court has ruled with respect to the right of the Nigerian child to education on the basis of the ECOWAS Treaty, the African Charter on Peoples and Human Rights, and the Constitution of the Federal Republic of Nigeria. While no case has been taken to it in with regard to the internal jurisdiction of higher education institutions, it is expected that people dissatisfied with rulings of a Nigerian court may appeal to it if a discrepancy can be established between a national legislation and obligations assumed under the Treaty and the Charter. But even with the low level of development of case law[52] on the matter, international conventions and treaties provide a standard of comparison for domestic laws and practices.

---

[52] A search of the website of the African Human Rights Case Law Database yielded only the SERAP v Nigeria case in the education sector. Another case, Academic Staff of Nigerian Universities v Nigeria (2000) AHRLR 180 (ACHPR 1994) failed for not first exhausting domestic remedies.

Beyond what has been highlighted above international conventions and treaties do not call for detailed discussion. Therefore the presentation here is limited to reviewing the development of jurisprudence over the right of the Nigerian child to education anchored on allegations of corruption against the Federal Government and its agencies in the education sector. Reference has already been made to the decision of the ECOWAS Community Court of Justice in SERAP vs Federal Republic of Nigeria and Universal Basic Education Commission ECW/CCJ/APP/08/08 in which the Court ruled that the Nigerian child has an enforceable right to education. It will therefore suffice here to only point out that the celebrated case resulted from allegations of corruption in the management of resources by the Universal Basic Education Commission (UBEC). According to Drakopoulos,

> SERAP's suit [No ECW/CCJ/APP/0808] followed a petition sent by SERAP to the Independent Corrupt Practices and Other Related Offences Commission (ICPC), which led to the discovery by the ICPC of massive corruption and mismanagement of the UBEC funds. The investigation also resulted in the recovery of stolen N3.4 billion, meant to improve the quality of education and access to education of every Nigerian child. The organization used the findings of the ICPC as the basis for its suit before the ECOWAS Court (Drakopoulos, 2009).

7.3 Corruption Control Mechanisms

There are three main anticorruption mechanisms in Nigeria, namely the Judiciary, the Economic and Financial Crimes Commission (EFCC), and the Independent Corrupt Practices Commission (ICPC). The EFCC and the ICPC are executive agencies charged with powers to investigate and prosecute cases of alleged corruption. The most prominent of these with regard to higher education student corruption is the judiciary, especially the superior courts. We will be discussing these agencies in a reverse order.

7.3.1 The Independent Corrupt Practices Commission

The ICPC has become very active as an anticorruption mechanism in the higher education system in the country in recent times even though it has operated in the shadow of the EFCC in

the general fight against corruption in the country (Arowolo, 2006). It receives petitions from stakeholders in higher education institutions which it investigates and also sets up anticorruption and transparency units in the universities, colleges of education, and polytechnics. This is an aspect of its statutory mandate, as provided for in Section 6 of the ICPC Act, "to undertake a comprehensive Systems Study and Review of the Nigerian University system with the principal aim of identifying and correcting corruption-prone processes" (ICPC, 2012a). Section 6 of the ICPC Act empowers the Commission in subsections (b) – (d) to

(b) examine the practices, systems and procedures of public bodies and where, in the opinion of the Commission, such practices, systems or procedures aid or facilitate fraud or corruption, to direct and supervise a review of them;

(c) instruct, advise and assist any officer, agency or parastatals on ways by which fraud or corruption may be eliminated or minimized by such officer, agency or parastatal;

(d) advise heads of public bodies of any changes in practices, systems or procedures compatible with the effective discharge of the duties of the public bodies as the Commission thinks fit to reduce the likelihood or incidence of bribery, corruption, and related offences;

It is in line with these provisions that it receives petitions from aggrieved persons and whistle blowers concerning corrupt practices in the education sector. The Commission

is inundated daily with petitions from students, staff , unions, and other stakeholders alleging all manner of corrupt practices and abuses in most of our tertiary institutions. These petitions highlight flagrant *abuse of processes in student admissions, examinations,* appointment and promotion of staff , *manipulation and falsification of academic records like transcripts, sexual harassment and victimization of applicants, students* and staff, syndicated plagiarism, delay or non-payment of gratuities and pension to pensioners, non-adherence to bidding processes in the award of contracts, bastardising accreditation processes through deception, running unapproved Study Centres, affiliates and programmes, establishing and operating un-approved and

consequently illegal universities, etc. (my emphasis on allegations concerning students) (ICPC, 2012a).

Based on the petitions it received, the ICPC undertook a review of corruption in the university system. It reported that its "preliminary investigations point towards the absence, utter disregard or failure of regulatory systems within" (ICPC, 2012b) the university system. It subsequently set out to carry out a comprehensive review using three universities as a pilot study. The comprehensive review aims to achieve two objectives, namely

1. To establish the veracity of the various intelligence reports, petitions, complaints and public comments and claims against corruption-prone processes in the University system.

2. To examine the practices, systems and procedures of the Universities and ascertain which of such practices, systems and or procedures aid, or facilitate fraud and or corruption; impede quality of service delivery, are open to manipulation and circumventing of rules for personal gains thus creating a situation of deliberate or inadvertent victimization and abuse of students, staff and other stakeholders (ICPC, 2012b).

The report of University System Study and Review identified corrupt practices in eight key issue areas, namely

Management of Funds
Contract awards and contract management
Appointments, Promotion and Discipline of Staff
Admissions, Enrolment and Registration of Courses
Examination Administration and Award of Degrees
Departmental Administration and Faculty Governance
Research and Research Administration
Teaching and Learning Services and Facilities (Aina, 2014, p. 5).

Students are involved as participants in two of the above issue areas – admissions, enrolment, and registration of courses as well as examination administration and award of degrees but more

as victims. However, they are impacted by corruption in all the eight issue areas. The conclusion of the Commission based on the findings from the pilot study of the university system is that "corrupt practices pervade the whole gamut of the academia affecting teaching and non-teaching staff as well as students" (Aina, 2014, p. 18). Top on the list of the over 50 corrupt practices in the university system is sexual harassment of which female students are the main victims. Corruption in appointments, promotion, and discipline of staff; examination administration; and departmental and faculty governance aggravates the vulnerabilities of students to abuse of power by staff and lecturers. They also erode trust of students in the management of their institutions; and lack of trust encourages premature recourse to the courts without exhausting internal mechanisms of redress within the institutions.

7.3.2 The EFCC

As an anticorruption mechanism, the EFCC is primarily involved with the investigation and prosecution of cases of corruption among students. One major example of the agency prosecuting students for examination malpractice which is the most common form of corruption among students has already been referred to in Section 7.2.4. Otherwise, most other cases involving students relate to conduct outside their educational institutions. Such is the situation with Abiodun Raheem, a student of Osun State Polytechnic, Iree who was prosecuted by the EFCC for conspiracy, fraud, and examination malpractice and jailed by the students. His offence originated in his "creating a website offering solutions to questions to prospective candidates of the May/June West African Examination Council (WAEC) Senior School Certificate Examination (SSCE) for a N4000 fee" (Samson, 2014). Moreover, he was arrested at Badagry in Lagos State, a great distance from his institution.

However, in recent times, the agency has established structures for engaging with students in the fight against corruption. The key structures include the setting up of Zero Tolerance Clubs in educational institutions and carrying enlightenment campaigns to solicit the support of the public, including students, in the fight against corruption.

7.3.3 The Judiciary

The role of the judiciary in the fight against corruption as it pertains to higher education student corruption has been to adjudicate on matters that are referred to it. As it was noted in Section 7.2.1, such matters generally border on the jurisdiction of higher education institutions in dealing with criminal offences committed by their students and the enforcement of the fundamental human right of students to fair hearing and the exercise of the rule of law during disciplinary proceedings. So far, the courts have acquiesced in the claim of tertiary institutions to exercise supreme jurisdiction on all matters relating to the award of their qualifications as was argued in Section 7.2.1. By holding the doctrine of the supremacy of the domestic jurisdiction of tertiary institutions in academic matters, the courts sometimes inadvertently allow corruption in the administration of justice in such institutions. Unlike the ICPC and the EFCC, the judiciary has not been proactively engaged with anticorruption campaigns among students except where a retired or serving judge is invited to give students lectures on corruption related topics.

7.4 Student Corruption Control Mechanisms

These refer to the institutions established by law to fight corruption and to secure redress for victims of corrupt practices.

7.4.1 Student Disciplinary Committee

Every higher education institution has a student disciplinary committee comprising representatives of management and students with responsibility for students discipline. In some tertiary institutions such as the University of Port Harcourt, this committee is called Student Disciplinary Committee; in others such as Federal College of Education, Zaria, it is known as Student Welfare and Disciplinary Committee. The Student Disciplinary Committee of the University of Port Harcourt consists of permanent and ad hoc members. Its permanent membership comprises the Dean of Student Affairs as chairperson, the Associate Dean of Student Affairs, the Registrar (or his/her representative), and the president and secretary-general of the Student Union Government. The ad hoc members are appointed on a case by case basis and comprise the dean of the faculty of the accused student, the Warden of the hall of residence

of the student, and the student's academic adviser. The powers and functions of the Committee include the following:

1. Serve as "court of first instance in all cases of infractions involving students, even when such cases are or have become police matter".
2. Investigate and make recommendation on cases referred to it by the VC.
3. Adjudicate, and make recommendation on "appropriate punishment for academic and moral offences, acts of hooliganism, assault on persons or property, fighting, theft, infringement of general University or hostel regulations and unbecoming conduct.
4. Report concluded cases "to the Vice-Chancellor for action" (University of Port Harcourt, 2008, p. 59).

The recommendations of the committee are subject to review by the Senate and the VC but in "Serious cases entailing suspension and expulsion", the VC may act on behalf of Senate. The SDC may act only on matters the VC refers to it. It lacks powers to initiate investigation on its own neither can anyone petition it directly. It is also provided with procedural guidelines in dealing with the matters that come before; its powers are thus fairly limited and circumscribed. The fundamental factors it is to take into account are:

1. nature of the offence;
2. gravity of the offence in the University;
3. frequency of the offence in the University;
4. character of the offenders (whether there has been similar or other offences)
5. position of the offender among his co-offenders (University of Port Harcourt, 2008, p. 36).

Students may also appeal its decisions to the Governing Council through the VC and the Senate. Where students are not satisfied with the internal processes of redress in a tertiary institution, they may approach the courts for remedy. Oftentimes, where students exercise the right of access to the courts, it has been to plead either the lack of fair hearing within the particular tertiary institution or lack of jurisdiction on the part of the institution. The issue of lack of jurisdiction arises mainly in relation to criminal cases.

In some institutions, the Students Union Government and the Hall Governments also play a part in student discipline and serve as dispute resolution mechanisms. However, the SUG faces a problem of trust and capacity. According to one participant at the FGD at UNN,

> Actually, SUG has some of, can exercise some form of rights in terms trying to come into this situation[53] but most often, student are often, there is this phobia, I mean fear of victimisation getting or intruding into such matters because everybody here is concerned, the concern already is to graduate within the stipulated time you are supposed to stay here. So if you intrude into such matters, you might at the end get involved and might even mess up yourself, I mean at the end of the case. That's why students, SUG or all these bodies do not directly get involved in all these matters (UNN, Male student).

The import of the above observation is that the SUG has a legitimate duty to intervene and enforce discipline among students but fear of victimization keeps it from doing so. A similar observation about the role of the SUG and the Hall Governments was made at Uniport. But the Union does not often get involved for fear of the connectedness of those involved – relationships with powerful lecturers and cult groups.

7.4.2 Anti-Corruption and Transparency Monitoring Unit (ACTU)

ACTUs are arms of the ICPC. They operate within government Ministries, Departments, and Agencies (MDAs) as well as parastatals including higher education institutions. They are staffed by personnel drawn from the host institution but the nucleus of their operations comprising an accountant, an auditor, and a procurement officer are drawn from agencies external to their host. The accountant and the auditor are drawn from the office of the Accountant-General of the Federation and the Office of the Auditor-General of the Federation respectively while the procurement officer is from the Office of the Bureau of Public Procurement. These three officers are senior civil servants on salary grade level 15 or above.

---

[53] The situation here is that a male student collected money from a lady with the promise of securing admission for her to study medicine at the institution.

Soon after its establishment, the ICPC requested and secured approval for the setting up of Anti-Corruption and Transparency Units (ACTUs) in ministries, agencies, and parastatal organizations. Subsequently, ACTUs were established in tertiary institutions. At the time of the fieldwork for this study, two of the institutions had functional ACTUs. So, in addition to students' disciplinary committees, ACTU also operates on the campuses of higher education institutions.

7.5 The Judiciary and Corruption Control

The judiciary has the onus of determining whether a conduct is corrupt or not. This is because, as has been observed in section 8.1, Nigeria approaches the problem of corruption from the perspective of legal fundamentalism and it is the duty of the courts to interpret the law. Section 6 of the 1999 Constitution vests the judicial powers of the Federation and the States in their respective courts established under the constitution. The courts so established under s.6 (5) are

        (a) the Supreme Court of Nigeria;
        (b) the Court of Appeal;
        (c) the Federal High Court;
        (d) the High Court of the Federal Capital Territory, Abuja;
        (e) a High Court of a State
        (f) the Sharia Court of Appeal of the Federal Capital Territory, Abuja;
        (g) a Sharia Court of Appeal of a State;
        (h) the Customary Court of Appeal of the Federal Capital Territory, Abuja;
        (i) a Customary Court of Appeal of a State;

With reference to higher education, the judiciary comprises the High Court of a State, the Federal High Court, the Court of Appeal, and the Supreme Court. The constitution vests original jurisdiction over allegations of infringement of fundamental human rights in the High Court of a State from which appeal may lay to the Court of Appeal with the Supreme Court being the final authority in the interpretation of law in the country.

The key issues that come to the judiciary for determination relate mainly to the fundamental right of students to fair hearing in internal disciplinary processes of higher education institutions and the jurisdiction of higher education institutions to deal with cases that border on crime and not

whether students acted corruptly. Rather than higher education institutions taking students to court for infractions of the law and their internal rules and regulations, it is normally students who take the institutions to court to allege judicial misconduct on the part of the institutions. Institutions become applicants mainly on appeal. This is a far cry from the situation in South Africa where the universities lack exclusive domestic jurisdiction over their internal affairs including examinations (Nwauche & Nwobike, 2005). A few cases will be used to illustrate this observation with reference to Nigeria.

Mr Yesufu Amuda Garba and Ors v. The University of Maiduguri

This case was initiated at the high court by the appellants who were students of the University of Maiduguri; appealed by the respondents to the Court Of Appeal; and further appealed to the Supreme Court by the appellants. The proceedings initiated at the high court were for the enforcement of their fundamental rights and the ground for the application was that "the applicants were not given a fair hearing, before the respondent expelled the applicants from the University of Maiduguri with effect from 30th March, 1983." The background to the case was that the students were found guilty of masterminding demonstrations resulting in arson and vandalization of university property by the Students Disciplinary Committee of the institution and expelled by the Senate. Destruction of public property is a criminal offence; so is arson. The students took the matter to court on the already stated ground that they were not given fair hearing and that SDC was incompetent in dealing with the matter. The High Court ruled in favour of the students, with the trial judge holding that their fundamental right to fair hearing had been contravened and ordering their reinstatement as students. The University appealed against the decision of the High Court to the Court of Appeal which found in its favour. The students then took the matter to the Supreme Court. It was the opinion of the Supreme Court that the institution acted unconstitutionally and declared

> 1) that the expulsion of each of the appellants with effect from 30th March, 1983 from the University of Maiduguri on the ground that they were guilty of arson, wilful damage, looting and assault which amount to criminal offences under the Criminal Code or Northern Nigeria Penal Code without trial and conviction by a court or tribunal is a violation of his fundamental right under

section 33(1) and (4) of the Constitution of the Federal Republic of Nigeria 1979;

(2) that the expulsion of each of the appellants from the University of Maiduguri based on the said violation of the fundamental right of each of the appellants under section 33(1) and (4) of the Constitution of the Federal Republic of Nigeria 1979 is null and void and of no effect; and

(3) that each of the appellants is entitled to the fundamental right of fair hearing entrenched in section 33(1) and (4) of the Federal Republic of Nigeria Constitution 1979 and cannot be deprived of the said right by the respondent.

Bukola Oluwaseun Olutayo v. Federal University of Technology, Minna

This case involved a student, the appellant, being expelled from the respondents' institution over alleged examination malpractice. The appellant took the matter to a high court alleging infringement of her fundamental right to fair hearing and had her case thrown out by the trial judge who held that her right to fair hearing was not breached by the internal disciplinary processes of the institution. She subsequently took the matter to the Court of Appeal. The Court of Appeal held that the appellant was not afforded fair hearing by the university before she was expelled and therefore ordered her immediate reabsorption into the institution to continue her studies.

While the courts have not been known to question the discretionary power of universities to determine any issues pertaining to the award of their diplomas and degrees, they have always insisted on the universities following their own lawfully established processes (Nwauche & Nwobike, 2005). Thus in *Unilorin v.Akinola*, the Court of Appeal held as follows

> the courts cannot and will not usurp the functions of the senate, the council and the visitor of the University on the selection of their f it and proper candidates f or passing and f or the award of certificates, diplomas and degrees. If, however, in the process of performing the functions under the law, the civil rights and obligations of any of the students or candidates are breached, denied or abridged, the court will grant remedies and reliefs for the protection of those rights and obligations (Unilorin v Akinola [2007]).

Garba v. The University of Maiduguri illustrates both the issue of right to fair hearing and that of jurisdiction were involved while the crux of *Olutayo v FUT Minna* is the right to fair hearing. The failure of tertiary institutions in dealing with misconduct by students is partly a product of their self-concept whereby they see themselves as being subject to a different culture and ethos than that of the wider society in which they operate. This is particularly true of universities which regard themselves as ivory towers. It is this idea that makes them to dabble into trying criminal cases which must necessarily be prosecuted before courts and tribunals of competent jurisdiction by the police. In a sense, the continued practice of tertiary institutions exercising internal jurisdiction over such offences as examination malpractice, arson, vandalism, rape and sexual harassment amount to maladministration and waste and misuse of public resources. They ought only to report such cases to the police and allow it to do its work.

7.6 Students & institutional anticorruption regimes

Anticorruption regimes act on students irrespective of whether or not the students are aware of them. Expectedly, knowing of their existence as well as their content and how they operate might influence the conduct of students. But are students aware and knowledgeable about the anticorruption regimes in place in their institutions? What is their opinion of the anticorruption regimes of their institutions? A number of items in the instruments were designed to elicit information from students about their knowledge and evaluation of rules of engagement in their institutions as well as their attitude towards such rules.

Familiarity with rules: Students were asked "Are you aware of the existence in your institution of any set of rules students are expected to abide by?" In response, over 88 per cent reported that they are aware of such rules. Another item inquired about their familiarity with the rules and about 75 per cent of the respondents claimed some familiarity with the rules. Many are also aware that there are different sets of rules for different aspects of studentlife on campus. Thus, when asked whether there are different rules for different areas of student activities such as

examination and accommodation, over 73 per cent of the respondents answered in the affirmative.

Enforcement of rules: How do students perceive the enforcement of the rules their institutions have established to government their conduct? The responses of respondents to various items tapping information on students' perception of the anticorruption regimes of their institutions are given in Table 7.3.

Table 7.3 Students' Perception of Anticorruption Regime

Question	Response				
	Yes (F)	Yes (%)	No (F)	No (%)	No Response
Do you see your lecturers as people who take their work seriously?	353	73.4	87	18.1	41
Would you say that the rules regarding residency in hostels are properly enforced?	192	39.9	231	48	51
Would you say that the rules regarding academic activities are properly enforced?	267	55.5	162	33.7	52
When students break the rules relating to examinations and other academic activities, are they handed over to the police for prosecution?	195	40.5	242	50.3	43
Do you think the existing rules are adequate to ensure good conduct on the part of students?	327	68	107	22.2	47

Table 7.3 shows that 55.5 per cent of the respondents believe that the rules regarding academic activities, that is, teaching, learning, research, and examinations are properly enforced while 33 per cent are of the opinion that they are not. With regard to residency rules, more students (48%) believe that the rules are not properly enforced while about 40% believe that they are. A key aspect of rule enforcement is following through on the requirements of a rule and relating them to legislation. Thus, a proper enforcement of rules relating to examination malpractice, to cite but one example, should entail handing culprits over to the police for investigation and possible

prosecution. But students believe this is not done. Thus, in response to the question, "When students break the rules relating to examinations and other academic activities, are they handed over to the police for prosecution?"; only 40.5 per cent responded in the affirmative while just over 50 per cent claim that rule breakers are not handed over to the police for prosecution. Related to students' perception of rule enforcement is their assessment of their lecturers' attitude to work. A majority of the respondents, 73.4 per cent, see their lecturers as people who take their work seriously. A great majority of the respondents also believe that existing rules in their various institutions are adequate to ensure good conduct on the part of students. In essence, students believe extant rules in their institutions are adequate to ensure good behaviour; what needs improvement is rule enforcement, especially in the areas of hostel accommodation.

A breakdown of the above response pattern by gender and type of institution in given in tables 7.4-7.8Table 7.4 Gender, type of HEI, & seriousness of lecturers

Do you see your lecturers as people who take their work seriously			Type of HEI				
			Varsity	Poly	COE	NR	Total
Yes	GOR	Male	137	44	30	2	213
		Female	67	23	47	2	139
		NR	1	0	0	0	1
	Total		205	67	77	4	353
No	GOR	Male	51	4	6	1	62
		Female	19	2	3	0	24
		Other	1	0	0	0	1
	Total		71	6	9	1	87
NR	GOR	Male	19	3	1	3	26
		Female	9	1	1	3	14
	Total		28	4	2	6	40
Total	GOR	Male	207	51	37	6	301
		Female	95	26	51	5	177
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		304	77	88	11	480

Table 7.4 presents students assessment of the attitude of the lecturers towards their work. There is a difference between the sexes in the way they view their lecturers' work ethic. Among female respondents, 78.5 per cent of the respondents view lecturers as taking their work seriously; among male respondents the corresponding percentage is 70.8 per cent. There are also subsector differences with lecturers in colleges of education having an approval rating from 87.5 per cent of respondents followed by those in the polytechnics with 87 per cent, and university lecturers coming at a distant third at 67.1 per cent. As indicated earlier, overall, 73.3 per cent of   all respondents see lecturers as people who take their work seriously.

Table 7.5 Residence Rule Enforcement: Gender & HEI

Would you say that the rules regarding residency in hostels are properly enforced			Type of HEI				Total
			Varsity	Poly	COE	NR	Total
Yes	GOR	Male	69	23	22	2	116
		Female	41	5	29	1	76
	Total		110	28	51	3	192
No	GOR	Male	111	21	13	1	146
		Female	44	18	20	1	83
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		157	39	33	2	231
No Response	GOR	Male	23	6	2	3	34
		Female	9	3	2	3	17
	Total		32	9	4	6	51
Total	GOR	Male	203	50	37	6	296
		Female	94	26	51	5	176
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		299	76	88	11	474

Table 7.5 presents opinion on the enforcement of residency rules in their institutions. As observed earlier, only about 40 per cent of the respondents believe rules governing accommodation are properly enforced. With respect to gender, about 43.2 per cent of female respondents believe that the rules are properly enforced while 47.2 per cent hold the contrary view. Among male respondents, 39.2 per cent believe the rules are properly enforced while 49.3 per cent do not. With regard to the three subsectors, it is only in the colleges of education that a majority of students believe that rules governing residency in the hostels are properly enforced. Here, 57.95 per cent of respondents believe rules are properly enforced. In the universities and polytechnics, only 36.79 per cent and 36.84 per cent respectively do so. The percentage of those who believe the rules are not properly enforced in the college of education, polytechnic, and university subsectors are 37.5%, 51.3%, and 53% respectively.

Table7.6 Academic Rule Enforcement: Gender & THEI

Would you say that the rules regarding academic activities are properly enforced			Type of HEI				
			Varsity	Poly	COE	NR	Total
Yes	GOR	Male	101	32	20	2	155
		Female	50	21	39	2	112
	Total		151	53	59	4	267
No	GOR	Male	82	16	14	1	113
		Female	33	3	11	0	47
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		117	19	25	1	162
NR	GOR	Male	24	3	3	3	33
		Female	12	2	1	3	18
	Total		36	5	4	6	51
Total	GOR	Male	207	51	37	6	301
		Female	95	26	51	5	177
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		304	77	88	11	480

Table 7.6 captures students' assessment of the enforcement of rules relating to academic activities by gender and type of higher education institution. With respect to gender, 63.3% and 51.5% respectively of female and male respondents are of the view that rules relating to academic activities are properly enforced in their institutions. In terms of the university, polytechnic, and colleges of education subsectors, the respective percentages of those who hold the view that rules governing activities in their institutions are properly enforced are 49.67%, 68.83%, and 67%.

Table 7.7 Use of Police in Rule Enforcement by Gender & HEI

When students break the rules relating to examinations and other academic activities, are they handed over to the police for prosecution			Type of HEI				
			Varsity	Poly	COE	NR	Total
Yes	GOR	Male	76	39	10	2	127
		Female	38	12	17	1	68
	Total		114	51	27	3	195
No	GOR	Male	108	10	26	1	145
		Female	47	14	33	1	95
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		157	24	59	2	242
NR	GOR	Male	22	2	1	3	28
		Female	10	0	1	3	14
	Total		32	2	2	6	42
Don't Know	GOR	Male	1				1
	Total		1				1
Total	GOR	Male	207	51	37	6	301
		Female	95	26	51	5	177
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		304	77	88	11	480

Do higher education institutions handover students who break rules relating to examinations and other academic activities to the police for prosecution? As captured in Table 7.7, a majority of the students do not think so. It is only in the polytechnics that a majority of students claim rule breakers are handed over to the police for prosecution. The percentages in the polytechnics, universities, and colleges of education are 66.23%, 37.5%, and 30.68%. Are there any gender differences with regard to this variable? Yes, there is as 38.4% of female respondents reported that rule breakers are handed over to the police while among male respondents 42.2 % make such a claim.

Table 7.8 Rule Adequacy by Gender & HEI

Do you think the existing rules are adequate to ensure good conduct on the part of students			Type of HEI				
			Varsity	Poly	COE	NR	Total
Yes	GOR	Male	136	45	26	2	209
		Female	55	20	40	2	117
		NR	1	0	0	0	1
	Total		192	65	66	4	327
No	GOR	Male	51	4	10	1	66
		Female	29	4	7	0	40
		Other	1	0	0	0	1
	Total		81	8	17	1	107
No Response	GOR	Male	20	2	1	3	26
		Female	11	2	4	3	20
	Total		31	4	5	6	46
Total	GOR	Male	207	51	37	6	301
		Female	95	26	51	5	177
		Other	1	0	0	0	1
		NR	1	0	0	0	1
	Total		304	77	88	11	480

Finally, do students consider the existing rules and regulations governing students' conduct in their respective institutions adequate to ensure good behaviour among students? Are there any differences in the way students in the universities, polytechnics, and colleges of education assess the rules? It has been shown earlier that on the whole, students regard the existing rules as adequate. The percentages of respondents which consider the rules as adequate are 63.2%, 84.4% and 75% for the universities, polytechnics, and colleges of education respectively.

7.7 Chapter summary

This chapter discussed Nigeria's anticorruption regime - the legislations and mechanisms which govern corruption as they relate to higher education student corruption. It highlighted the key constitutional provisions and legislations with important implications for higher education student corruption. In addition to the key constitutional provisions dealing with the fundamental human right to fair hearing, the chapter also discussed the basic anticorruption legislations from the colonial era to the present. Beyond those, it discussed the role of the ICPC, EFCC, and the Judiciary in the fight against corruption among students. Of special note is the problem of domestic jurisdiction of tertiary institutions in academic matters. Tertiary institutions have sought to claim exclusive domestic jurisdiction in matters relating to the award of their degrees and diplomas and have in the process assumed jurisdiction over criminal matters that should be for the courts to decide. In the process, they have often fallen foul of the law and have had their disciplinary verdicts reversed by the courts. The chapter also presented students' perception of the extant anticorruption regimes of their institutions. Students are of the view that existing laws, rules, and regulations are adequate to ensure good conduct among students but expressed low opinion of the enforcement mechanisms.

The next chapter summarizes the main findings of the study and draws its conclusions. It also makes some recommendations aimed at combatting corruption among higher education students.

Chapter Eight: Summary, Conclusions, and Recommendation

8.0 Introduction

This study set out to investigate the prevalence, structures, and patterns of corruption among students of higher education institutions in Nigeria. Its main objective was to examine and evaluate the role that students play in corruption in higher education under the rubric of higher education student corruption and to evaluate the magnitude of the phenomenon. The three sets of questions formulated for investigation were as follows:

1. How do students of higher education institutions understand and define corruption? How does their concept of corruption compare with those of "experts" and the "general public" as well as reflect the legal definitions of the concept?

2. How pervasive is higher education student corruption, and which are its most prevalent forms?

3. How adequate are existing legislations and anti-corruption mechanisms in combating higher education student corruption?

8.1 Summary

This section summarizes the work using the above questions as guides

8.1.1 Students' concept of corruption

Using focus group discussions as the methodological vehicle, this study interrogated the views of students on what constitutes corruption; it found that they have a concept of corruption. The focus group discussion format enabled them to proffer opinions about what corruption means to them. Students defined corruption basically as abuse or misuse of power. Thus, their concept of corruption is similar to the prevalent concept of official corruption as abuse or misuse of power.

Students' concept of corruption is very much a product of their environment. Most of the behaviour they regard as corrupt are conducts prohibited by their institutions. Students' handbooks are an important source of their knowledge of corruption. An examination of

students' handbooks and the behaviours and conducts student respondents cited as corrupt reads like they are simply lifting ideas from those handbooks.

Unlike scholars and researchers who are wary of applying the concept of corruption to describe students' behaviour, the study participants conceptualize certain student conducts in terms of corruption. In other words, students frame some of their conducts in terms of corruption rather than make use of euphemisms as some scholars do. The behaviours they conceptualize as corrupt comprise a wide array (over fifty) of different conducts including absenteeism, alcoholism, armed robbery, boycott of lectures, bribery, cheating, cultism, dating lecturers by students, dating among students, demonstration, dereliction, destruction of property, drug abuse, educational malpractice, electoral malpractice, embezzlement, examination malpractice, extortion, favouritism, fighting, forgery, fraud, Gangsterism, immorality, impersonation, indecent dressing, insult, intimidation, lateness, laziness, littering, lying, materialism, misappropriation, murder, plagiarism, prostitution, rape, rioting, robbery, sale of (school) property, seduction, sexual harassment, sorting [inducement], smuggling, stealing, theft, unruly behaviour, vandalism, and victimization. In essence, students use both legal and particularly moral standards to determine which conduct to designate as corrupt; the latter, due perhaps to the strong moral tone of the society.

Students also proffered explanations as to why some of them engage in corrupt conducts. For them, corruption is more a problem of agency than of structure. Therefore, they largely blame themselves as students for the corrupt practices in which some of them engage. However, they are not unaware of the influence of the environment of the institution and the society on the conduct of students. They were able to identify drivers of both academic and non-academic corruption and, in doing so, demonstrated some level of understanding of how socio-cultural and establishment characteristics of their institutions interacted with personal characteristics of individual students to engender corrupt behaviour in students. In particular, references to corruption among management and faculty, lack of proper investment and management of resources as well as ineffective monitoring of students and partiality in the implementation of

rules and regulations speak of such recognition on their part of how structures can influence or shape group behaviour/conduct.

8.1.2 How pervasive is higher education student corruption?

The Nigerian higher education system is not as corrupt in the eyes of students as it is in the eye of society. Thus, while the student respondents in this study mentioned many patterns of corruption, they were not as willing, outrightly, to describe the culture of their institutions as corrupt. The low response to the item calling for a description of the culture of their institutions in relation to corruption has been noted in Section 6.3.1. Though it was observed that almost 55% of the respondents who addressed the item described their institutions as corrupt or somewhat corrupt, in relation to the total sample for the study, this proportion declines to about 35 per cent (168 out of 481). In other words, only 35% of the participants in this study described the culture of their institutions as corrupt. The high level of reticence, as has been argued, suggest culpability or attempt to hide the true state of affairs in the institutions with regard to corruption.

The sectoral differences between the universities, polytechnics, and colleges of education are also worth highlighting. It was only in the colleges of education sector that an absolute majority of all participants described the culture of their institutions as corrupt; in the polytechnic sector, those who responded to the item on culture of corruption were almost evenly divided between participants describing it as corrupt and others describing it as incorrupt. For the participating university students, their institutions were largely incorrupt with reference to this item but the high reticence suggests discomfort with the subject.

It should be noted also that the proportion describing the culture of their institutions as corrupt is heavily weighted in favour of reports from south-western Nigeria, particularly Osun State College of Education where 77% of the total respondents described the culture of their institution as corrupt. At FUTA and Osun State Polytechnic, though the response rate is low, a vast majority of those who responded to this item also described the culture of their institutions as reflecting corruption. The only other zone in which many respondents described the culture of their

institutions as corrupt was the South-South. Here, a majority of the students who responded to the item on description of institutional culture described the culture of their institution as corrupt even though with reference to the total number of participants from the region, the proportion of those describing the culture of their institution as corrupt stands at only 35.6% (36 out of 101). But this is still above the national average of 35%. But the proportion varied widely at the institutional level: at Uniport and IAUE, 17 out of the 39 and 9 out of 14 who responded to the item described the culture as corrupt; at Rivers State Polytechnic, Bori and FCE (T), Omoku, the proportions were 8 out of 36 and 2 out of 11 respectively. The South-West and South-south geopolitical zones can be said to be more highly conscious of corruption than other parts of the country partly because several corruption surveys have been carried out in them and partly because of the virile press coverage of corruption in the zones. At ABU and FCE both in Zaria (northern Nigeria), and UNN (south-east), varying majorities described the culture of their institutions as "not corrupt".

The most prevalent patterns of corruption among students are examination malpractices, cultism, immorality and indecent dressing. As patterns of corruption are indicative of structures of corruption, the prevalence of examination malpractices and cultism in particular point to structural and systemic problems in higher education institutions. To address these will require not only a massive injection of funds for the development of physical infrastructure, equipment, and information and communication technologies, but also a radical change in the governance structures of higher education institutions. It is perhaps in awareness of this that students identified lecturers and management as the key drivers of corruption in higher education institutions. The other major patterns of higher education student corruption, immorality and indecent dressing, reflect the predominant conservative consciousness about appropriate conduct, especially sexual conduct, and mode of dressing. Consequently, it may be concluded that students' perception of corruption, as is their knowledge of corruption, is derived from the notions of corruption prevalent in the society.

The main drivers of higher education student corruption, academic as well as non-academic, are lecturers. This has important implications for the fight against corruption. Where lecturers lack

integrity, whether in their primary role as lecturers or in their other roles as members of management and other governance structures within the higher education institutions, they are unlikely to be able to ensure compliance to rules and regulations of their institutions. They are also unlikely to be able to implement national laws if they, on their part, breach the laws governing their conduct. The failure of scholars to conceptualize conducts and practices in higher education in terms of corruption are a case in point. However, unlike scholars, students conceptualize their conducts in terms of corruption and also view students are key players in corruption in higher education institutions. But students believe that the onus of the fight against corruption lies with lecturers and management.

8.1.3 Adequacy of existing anticorruption regimes

There is a surfeit of legislations dealing with higher education student corruption. The mechanisms to implement these legislations also exist; what is lacking is adequate capacity to run or manage the extant anticorruption agencies. Accordingly, the students who participated in this study opined that the problem with corruption in higher education institutions has to do with the enforcement of rules and not a lack of rules. Table 7.3 shows that a majority of the study participants believed that rules governing student conduct in several areas including hostel accommodation and the handing-over of offenders for prosecution are not properly carried out. In other words, managers of higher education institutions do not fully obey the rules governing student conduct.

The study found that there are more than enough legislations to deal with cases of corruption among students. The primary source of the various anticorruption legislations is the Constitution. For example, the 1999 Constitution declares war on corruption by providing as one of the fundamental objectives and directive principles of state policy in Section 15 (5) that "the State shall abolish all forms of corrupt practices and abuse of power". It also empowered the National Assembly and the State Houses of Assembly in sections 88 (2b) and 128 (2b) respectively to carry out investigations to "expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it." In addition to the various anticorruption legislations,

the student handbooks of the individual institutions also contain copious provisions regulating corrupt practices among students. The important thing about the anticorruption legislations is that students largely regard them as adequate to ensure good behaviour among students. The problem students found with the anticorruption regimes is that of weak enforcement capacity or will.

The study found the weak enforcement problem to be attributable primarily to a high level of incompetence in the implementation of anticorruption rules whereby institutions assume jurisdiction over matters that should be referred to the police and the courts. However, with the establishment of ACTUs by the ICPI on the campuses of higher education institutions, the enforcement process should improve. In particular, the ACTUs should serve to increase the capacity of the higher education institutions to understand the nature of corruption and their role in the fight to combat it. Given that corruption among staff hampers the implementation of the rules, a better understanding of the nature and dynamics of corruption will better enable the anticorruption mechanisms to become more effective and efficient instruments in dealing with corruption in education.

8.2 Conclusions

Higher education student corruption is a major problem in Nigerian higher education institutions. Its enormity seems to be recognized and acknowledged by the students, the institutions, and the society. However, both the institutions and the society (through the government and professional bodies), are more concerned at the rhetorical than at the practical level. Management of higher education institutions are often seen as corrupt and incompetent by students. In practice, the institutions also decriminalize some forms of higher education student corruption by assuming domestic jurisdiction over such matters. Some institutions also seem to condone some corrupt student activities such as cultism, the sale of school property, and some forms of examination malpractice such as the sorting of lecturers. On top of these, the mismanagement of resources creates conditions that encourage corruption among students.

With regard to the society, governments largely and grossly underfund education. They also deny institutions sufficient autonomy to encourage the political will and creativity necessary to embark independently on measures to build new institutional cultures. For their part, professional bodies in the higher education sector rarely police or sanction their members who engage in corrupt practices. The Unions also concern themselves only with corruption among management and not among their professional colleagues. Beyond those, and as shown in Chapter 6, parents sometimes drive higher education student corruption by condoning or even initiating corrupt activities in support of their children. Higher education student corruption will remain a critical issue in education and human capital development in the country until rhetoric is matched with practical action.

Higher education student corruption cannot be effectively combatted by higher education institutions as presently constituted. The extant political economy favours and savours corruption among students as it is highly susceptible to manipulation because of lack of due process, low level of institutionalization plus high level of personalization of governance arrangements, and lack of adequate resources. The management of higher education institutions is also highly subject to political control and manipulation as lecturers, especially those in the professorial cadre, look outside their institutions to enhance their positions within such institutions. The situation at the Rivers State University of Science and Technology -- where the Visitor imposed a Vice-Chancellor on the institution without following due process and against the opposition of a majority of the lecturers of the institution -- is just one example of how higher education institutions are subjected to political control. One fallout from the situation at this institution was the prolonged strike which was referred to in Section 6.1.

Higher education student corruption undermines the purposes of higher education in Nigeria, as does corruption in education generally. The integrity of degrees, diplomas, and certificates issued by tertiary institutions in Nigeria are no longer taken at face value as their holders are now subjected to further tests to prove their ownership of such qualifications. Thus, higher education student corruption results in the wastage of already scarce resources. Part of this wastage is the additional resources expended by other government agencies such as the NYSC to screen

prospective corps members to identify fake candidates. No matter its level, higher education student corruption is worrisome because higher education institutions not only produce and provide both the public and private sectors with middle and high level manpower, but also are often responsible for nurturing and shaping the future leaders and high level managers of the country. If the products are already corrupt, how can they be reasonably expected to provide transparent, responsible and honest leadership to the nation. This is besides the incompetence associated with the lack of capacity arising from faulty education.

8.3 Recommendations

Corruption in higher education is a multidimensional and highly complex phenomenon. This study only explored the part that students play in enlivening it. More detailed studies are required to unravel the mechanisms and mechanics of corruption among lecturers and staff as well as the management of higher education institutions. With such additional study, it would be possible to proffer a meaningful, detailed and coherent set of recommendations that will cut across the entire institutions and education sector. This is necessary because student corruption is often linked (symbiotically) to staff and management corruption.

In light of the role of establishment characteristics in driving higher education student corruption, this study recommends the following as minimum requirements for eliminating or (at least) minimising the incidence of corruption at higher education institutions in Nigeria:

- Capacity building and the development of professional ethics among both teaching and non-teaching staff of higher education institutions;

- Greater accountability and transparency in management, teaching, and examination at tertiary institutions;

- Greater institutional autonomy to check the personalization of governance arrangements by politically connected vice-chancellors and lecturers; and

- Massive injection of funds for physical infrastructures as well as investment in library resources.

The foregoing recommendations should not be taken to mean that students do not share responsibility in the perpetuation of higher education student corruption. Rather, emphasis is being laid on what can be done to combat corrupt behaviour on the part of students. After all, quality assurance is not a responsibility of students.

References

Abdulkareem, Adedayo Yusuf, & Muraina, Monsuru Babatunde. (2001). The Control of Education in Nigeria. Retrieved 08/31, 2013, from http://www.unilorin.edu.ng/publications/abdulkareemay/the_control_of_education_in_nigeria.pdf.

Abdulkareern, A.Y. , & Alabi, T. . (2004). Curbing Examination Malpractice in the University System: A Management Perspective. *Nigerian Journal of Educational Researchers & Evaluators, 5*(1).

Abdulkareern, AY, & Alabi, T. (2004). Curbing examination malpractice in the university system: a management perspective. *Nig. Jol. of education research and evaluators, 5*(1), 1-10.

ABUBAKAR, MOHAMMED. (2013). FEC okays three new varsities, brand tourism identity, *The Guardian*.

Adebayo, S.O. . (2011). Common Cheating Behaviour Among Nigerian University Students: A Case Study of University of Ado-Ekiti, Nigeria. *World Journal of Education, 1*(1), 144-149.

Adegbenro, Adesina, & Olabisi, Oribabor. (2012). Meadures against cultism and cult activities in campuses: the urgent need for peaceful academic progress in higher institutions in Nigeria. *Research on Humanities and Social Sciences, 2*(10), 144-148.

Adejumobi, Said. (2000). Structural Adjustment, Students' Movement and Popular Struggles in Nigeria, 1986–1996. In A. Jega (Ed.), *Identity Transformation and Identity Politics Under Structural Adjustment in Nigeria* (pp. 204-233). Uppsala: Nordiska Afrikanstitutet.

Adekoye, Vincent. (2005). Auchi Poly Expels 700. Retrieved from http://news.biafranigeriaworld.com/archive/2005/05/index.php

Ademola, Adebisi Pius, Simeon, Adebisi Obawale, & Kayode, Kingsley Arogundade. (2012). Academic Corruption And The Challenge Of Unemployable Graduates In Nigeria: Implications For Entrepreneurship Development And Economic Growth. *The Journal of Commerce, 4*(1), 1.

Adeniran, Akingbolahan. (2008). Anti-Corruption Measures in Nigeria: A Case for Selective Intervention by Non-State Actors. *King's Law Journal, 19*(1), 57-79.

Adeniyi, E. O., & Taiwo, S. A. (2011). Funding Higher Education in Nigeria through Cost Sharing: Perceptions of Lecturers, Students and Parents. *European Journal of Social Science, 24*(4), 524-536.

Aderinoye, Rashid. (2008). New Paradigm in Access to Education: The University of Ibadan Distance Learning Centre's Experience. WikiEducator Retrieved 19/2/2009, from WikiEducator http://www.wikieducator.org/images/c/c7/PID_313.pdf

Adeseri, Leke, Umoru, Henry, & Olatunji, Daud. (2014). Ex-student unionist, Segun Okeowo of Ali must go fame dies at 73, *Vanguard*. Retrieved from http://www.vanguardngr.com/2014/01/ex-student-unionist-segun-okeowo-ali-must-go-fame-dies-73/

Adesola, Ademola. (2011). 'No university In Nigeria Is Standard'-Prof. Niyi Osundare, *The Nation on Sunday*.

Adeyemi, Kola. (2001). Equality of access and catchment area factor in university admissions in Nigeria. *Higher Education, 42*(3), 307-332.

Adler, Paul S., & Kwon, Seok-Woo. (2002). Social Capital: Prospects for a New Concept. *Academy of Management Review, 27*(1), 17-40. doi: 10.5465/amr.2002.5922314

Adujie, Paul I. (2007). The Murder of Oluwatoyin Olusesan. Retrieved from http://www.nigeriansinamerica.com/articles/1626/1/The-Murder-of-Oluwatoyin-Olusesan/Page1.html

Ahmadu Bello University (Transitional Provisions) Act (1975).

Aina, Olu. (2014). *Presentation of the Findings of the University System Study and Review (USSR) Report*. Paper presented at the National Conference on Transparency, Accountability and Ethical Values in Tertiary Institutions for Sustainable Development, Ladi Kwali Hall, Sheraton Hotel Abuja. http://icpctetfund2014.org/Papers1/Prof.%20Olu%20Aina%20Presentation%20on%20USSR.pdf

Ake, Claude. (1978). *Revolutionary Pressures in Africa*. London: Zed Press.

Ake, Claude. (1981). *A Political Economy of Africa*. London: Longman

Akindele, S. T. (2005). A Critical Analysis of Corruption and its Problems in Nigeria. *Anthropologist, 7*(1), 7-18.

Akinsanmi, Gboyega. (2014). At Last, Fashola Orders Resumption of LASU Students, *ThisDay*. Retrieved from http://www.printfriendly.com/print/v2?url=http://www.thisdaylive.com/articles/at-last-fashola-orders-resumption-of-lasu-students/172124/

Akintola, Bukola. (2010). The Perils of Protest: State Repression and Student Mobilization in Nigeria. In W. Adebanwi & E. Obadare (Eds.), *Encountering the Nigerian State* (pp. 99-121): Palgrave Macmillan.

Akintola, Bukuola. (2010). The Perils of Protest: State Repression and Student Mobilization in Nigeria. In W. Adebanwi & E. Obadare (Eds.), *Encountering the Nigerian State* (pp. 99-121): Palgrave Macmillan.

Akinyanju, Poju. (2002). Assault on the academy. Retrieved 10/10, 2008, from http://www.nigerdeltacongress.com/articles/assault_on_the_academy.htm

Aladeselu, Nosa I. (2010). *Nigeria: 50 Years of Porgress and Challenges in the Education Sector*. Paper presented at the Nigeria 50 Years in the Commonwealth, The Boothroyd Room, Portcullis House, Palace of Westminster, London on December 8, 2010.

Altbach, Philip G. . (2004). The Question of Corruption in Academe. *International Higher Education, 34,* (Winter 2004).

Aluko, Banji. (2014). Protesting Edo students barricade road over strike, *Nigerian Tribune*. Retrieved from http://www.tribune.com.ng/news/news-headlines/item/21890-protesting-edo-students-barricade-road-over-strike

Alutu, Azuka N.G., & Aluede, Oyaziwo. (2006). Secondary Schools Student's Perception of Examination Malpractices and Examination Ethics. *Journal of Human Ecology, 20*(4), 295-300.

Alutu, O. E , & Alutu, A. N. G. (2003). Examination Malpractice among Undergraduates in a NigerianUniversity: Implications for Academic Advising. *Guidance & Counseling, 18*(4), 149.

Amadi, M. N. (n.d.). *Issues and Problems in Higher Education in Nigeria*. Lagos: National Open University of Nigeria.

Andvig, Jens Chr., & Fjeldstad, Odd-Helge. (2001). Corruption: A Review of Contemporary Research (Vol. Report R 2001: 7). Bergen: Chr. Michelsen Institute

Andvig, Jens Chr., Fjeldstad, Odd-Helge, Amundsen, Inge, Sissener, Tone, & Søreide, Tina. (2001). *Corruption: A Review of Contemporary Research*. Bergen: Chr. Michelsen Institute

Anuku, Williams. (2010, 28/9/2010). Nigerian Education Minister Sends Daughter to University in Ghana. Retrieved 20/9/2011, 2011

Anyanwu, Ogechi. (2010). The Anglo-American-Nigerian Collaboration in Nigeria's Higher Education Reform: The Cold War and Decolonization, 1948-1960. *Journal of Colonialism and Colonial History, 11*(3). doi: 10.1353/cch.2010.0011

Anyanwu, Ogechi Emmanuel. (2006). *The Policies and Politics of Massification of University Education in Nigeria, 1952-2000.* (A Dissertation Submitted to the Graduate College of Bowling Green State

University in partial fulfillment of the requirements for the degree of Doctor of Philosophy), Graduate College of Bowling Green State University, Bowling Green Ohio.

Anyanwu, Ogechi Emmanuel. (2011). *The politics of access [electronic resource] : university education and nation-building in Nigeria, 1948-2000*. In D. I. Ray (Series Ed.) AFRICA: MISSING VOICES SERIES,

Arenyeka, Laju. (2014). What JAMB's 'one-varsity only' directive could mean for candidates, *Vanguard* Retrieved from http://www.vanguardngr.com/2014/01/jambs-one-varsity-directive-mean-candidates/

Arijesuyo, Amos Emiloju, & Olusanya, Oyewole Omoniyi (2011). Theoretical Perspectives on Campus Cultism and Violence in Nigeria Universities: A Review and Conceptual Approach. *International Journal of Psychological Studies, 3*(1), 106-112.

Arowolo, Oluseye Foluso. (2006). In the shadows of the EFCC: is the ICPC still relevant? *Journal of Money Laundering Control, 9*(2), 203-213.

Azfar, Omar, & Murrell, Peter. (2009). Identifying Reticent Respondents: Assessing the Quality of Survey Data on Corruption and Values. *Economic Development & Cultural Change, 57*(2), 387-411.

Babbie, R., & Mouton, J. (2001). *The Practice of Social Research*: Oxford University Press.

Balarabe, Yushau. (2009). Epidemic Corruption In Our Educational Systems And The Future Of Nigeria (Parts I - IV). from http://www.pointblanknews.com/artopn981.html

Bardhan, Pranab. (1997). Corruption and Development: A Review of Issues. *Journal of Economic Literature, 35*(3), 1320-1346. doi: 10.2307/2729979

Bardhan, Pranab. (2006). The Economist's Approach to the Problem of Corruption. *World Development 34*(2), 341-348.

Barry, Norman. (1983). The Political Economy of Higher Education: An 'Australian' Analysis. *Journal of Economic Affairs, 3*(4), 235.

Belo-Osagie, Kofoworola. (2011a). 'Our procedure for fighting malpractice is the best', *The Nation Online*. Retrieved from http://www.thenationonlineng.net/2011/index.php/education/30569-%E2%80%98our-procedure-for-fighting-malpractice-is-the-best%E2%80%99.html?print

Belo-Osagie, Kofoworola. (2011b). Why Exam Malpractice Law is weak, *The Nation Online*. Retrieved from http://www.thenationonlineng.net/2011/index.php/education/30570-why-exam-malpractice-law-is-weak.html?print

Bennet, N. (2001). *Corruption in education systems in developing countries: what is it doing to the young.* Paper presented at the 10th International Anticorruption Conference, Prague, Czech Republic, October.

Bernardi, Richard A., Metzger, Rene L., & Bruno, Ryann G. Scofield. (2004). Examining the Decision Process of Students' Cheating Behavior: An Empirical Study. *Journal of Business Ethics, 50*(4), 397-414. doi: 10.1023/B:BUSI.0000025039.47788.c2

Bertram Gallant, Tricia., & Drinan, Patrick. (2006). Organizational Theory and Student Cheating: Explanation, Responses, and Strategies. *The Journal of Higher Education, 77*(5), 839-860.

Bin, Wang, & Qichun, Chen. (2007a). The Administrative Mode and Academic Corruption at China's State-Run Universities. *Chinese Education and Society, 40*(6-), 37-46.

Bin, Wang, & Qichun, Chen. (2007b). The Administrative Mode and Academic Corruption at China's State-Run Universities. *Chinese Education and Society,, 40*(6), 37–46.

Birchard, Karen. (2006). Cheating Is Rampant at Canadian Colleges. *Chronicle of Higher Education, 53*(8), 46-46.

Blaikie, N. (2009). *Designing Social Research*: Wiley.

315

Bloom, David, Canning, David, & Chan, Kevin. (2006). *Higher Education and Economic Development in Africa*.

Braden, C.S. (1949). *These Also Believe: A Study of Modern American Cults & Minority Religious Movements*: Macmillan Co.

Braide, Kòmbò Mason. (2002). The Making Of Illiterate Graduates & Graduate Illiterates. Retrieved 07/04, 2008, from http://www.nigerdeltacongress.com/marticles/making_of_illiterate_graduates.htm

Brandão, Maria de Fátima, & Teixeira, Aurora A. C. (2005). Crime without punishment: an update review of the determinants of cheating among university students *FEP Working Papers*. Porto: Faculdade de Economia da Universidade do Porto.

Bricki, Nouria, & Green, Judith. (2007). A Guide to Using Qualitative Research Methodology.

Brown, A.J. (2006). What are We Trying to Measure? Reviewing the Basics of Corruption Definition. In C. Sampford, A. Shacklock, C. Connors & F. Galtung (Eds.), Measuring Corruption (pp. 57-79). Aldershot , Hampshire: Ashgate Publishing Limited.

Bunn, Douglas N., Caudill, Steven B., & Gropper, Daniel M. (1992). Crime in the Classroom: An Economic Analysis of Undergraduate Student Cheating Behavior. *Journal of Economic Education, 23*(3), 197-207.

Čábelková, Inna, & Hanousek, Jan. (2004). The power of negative thinking: corruption, perception and willingness to bribe in Ukraine. *Applied Economics, 36*(4), 383-397. doi: 10.1080/00036840410001674303

Caiden, G.E., & Caiden, N.J. (1977). Administrative corruption. *Public Administration Review, 37*(3), 301-309.

Caiden, Gerald E. (1988). Toward a General Theory of Official Corruption. *Asian Journal of Public Administration, 10*(1), 3-26. doi: 10.1080/02598272.1988.10800195

Carnoy, Martin. (1985). The political economy of education. *International Social Science Journal, 37*(104), 157-173.

Chang, Gwang-Chol. (2007). Nigeria 10-Year Strategic Plan for Education: Policy, Cost and Financing Assumptions and their Implications. *Working Document, Educational Sector UNESCO. Abuja: Federal Ministry of Education*.

Changgeng, Li. (2007). Another Discussion about Academic Corruption. *Chinese Education and Society, 40*(6-), 77-83.

Chapman, David. (2002). Corruption and the Education Sector.

Cheung, Hoi Yan, & Chan, Alex W. H. (2008a). Corruption across countries: Impacts from education and cultural dimensions. *Social Science Journal, 45*(2), 223-239. doi: 10.1016/j.soscij.2008.03.002

Cheung, Hoi Yan, & Chan, Alex W. H. (2008b). Corruption across countries: Impacts from education and cultural dimensions. *The Social Science Journal, 45*(2), 223-239. doi: http://dx.doi.org/10.1016/j.soscij.2008.03.002

Clausen, B., Kraay, A., & Murrell, P. (2010). Does respondent reticence affect the results of corruption surveys? evidence from the world bank enterprise survey for Nigeria. *Evidence from the World Bank Enterprise Survey for Nigeria (September 1, 2010). World Bank Policy Research Working Paper Series, Vol*.

Cohen, L., Manion, L., & Morrison, K. (2007). *Research Methods in Education*: Taylor & Francis.

Coleman, James S. (1988). Social Capital in the Creation of Human Capital. *American Journal of Sociology, 94*(ArticleType: research-article / Issue Title: Supplement: Organizations and Institutions: Sociological and Economic Approaches to the Analysis of Social Structure / Full

publication date: 1988 / Copyright © 1988 The University of Chicago Press), S95-S120. doi: 10.2307/2780243

Correspondent. (2012). Don't Embark On Solidarity Strike, NANS Begs ASUU, *Leadership*.

Crotty, Michael. (1998). *The Foundations of Social Research: Meaning and Perspective in the Research Process*: SAGE Publications.

Daily Trust Reporter. (2012). 80 illegal students found at Nasarawa varsity, *Daily Trust*. Retrieved from http://www.dailytrust.com.ng/daily/old/index.php/top-stories/25806-80-illegal-students-found-at-nasarawa-varsity

Dakhli, Mourad, & De Clercq, Dirk. (2004). Human capital, social capital, and innovation: a multi-country study. *Entrepreneurship & Regional Development, 16*(2), 107-128. doi: 10.1080/08985620410001677835

de Fátima Brandão, Maria, & Teixeira, Aurora A. C. (2005). *Crime without punishment: an update review of the determinants of cheating among university students*. Working Paper. Faculdade de Economia da Universidade do Porto. Retrieved from http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=19013423&site=ehost-live

De Graaf, Gjalt. (2007). Causes of Corruption: Towards A Contextual Theory of Corruption. *Public Administration Quarterly, 31*(1), 39-86.

de Graaf, Gjalt, & Huberts, L. W. J. C. (2008). Portraying the Nature of Corruption Using an Explorative Case Study Design. *Public Administration Review, 68*(4), 640-653. doi: 10.1111/j.1540-6210.2008.00904.x

Denzin, Norman K., & Lincoln, Yvonna S. (2011a). Introduction: the discipline and Practice of Qualitative Research. In N. K. denzin & Y. S. Lincoln (Eds.), *The SAGE Handbook of Qualitative Research* (pp. 1-19). Thousand Oaks, California: SAGE Publications.

Denzin, Norman K., & Lincoln, Yvonna S. (2011b). Preface. In N. K. Denzin & Y. S. Lincoln (Eds.), *The SAGE Handbook of Qualitative Research*. Thousand Oaks, California: SAGE Publications.

Dormaels, Arne. (2010). Corruption as a judgment label. In M. Cools, B. D. Ruyver, M. Easton, L. Pauwels, P. Ponsaers, G. V. Walle, T. V. Beken, F. V. Laenen & G. Vermeulen (Eds.), *New empirical data, theories and analyses on safety : societal problems and citizens' perceptions.* (Vol. 3, pp. 221-238). Antwerp, Belgium ; Apeldoorn, The Netherlands: Maklu.

Drakopoulos, Eliane. (2009). ECOWAS Court Says Nigerians Have A Legal Right To Education, *Business Africa*.

Duncan, Nick. (2006). The Non-Perception Based Measurement of Corruption: A Review of Issues and Methods from a Policy Perspective. In C. Sampford, A. Shacklock, C. Connors & F. Galtung (Eds.), Measuring Corruption (pp. 131-161). Aldershot, Hampshire: Ashgate Publishing Limited.

Durojaiye, Femi, & James, Segun. (2014, 24/01/2014). Nigeria: LASU Closed Indefinitely Over Students' Protest, News Report, *ThisDay*. Retrieved from allafrica.com/stories/201401240613.html

Easterbrook, Michael, McWilliams, Bryon, & Overland, Martha Ann. (2002). Corruption Plagues Academe around the World. *Chronicle of Higher Education, 48*(47), A32-A37.

Easton, D. (1965). *A Framework for Political Analysis*. Englewood Cliffs, N.J.: Prentice-Hall.

Edeko, Sunday E. (2011a). Application of the Principles of Natural Justice to Issues in University Governance. *African Journal of Education and Technology, 1*(2), 93-111.

Edeko, Sunday E. (2011b). The Legality of the Constitution versus the Dictates of Military Power in a State of Revolution. *Sacha Journal of Policy and Strategic Studies 1*(1), 137-158.

Edike, Tony. (2012). Nigeria: UNN Post-UME Leakage - 23-Year-Old Printer Arraigned. Retrieved 2012/09/01, from Vanguard Media Limited http://allafrica.com/stories/201207120377.html

Edukugho, Emmanuel. (2008). Nigeria: 3 Million Seek Varsity Spaces - Okojie, *Vanguard*. Retrieved from http://allafrica.com/stories/2008060273.html

Egwu, Sam. (2009). *Universities and the National Education Roadmap*. Paper presented at the The 24th Conference of the Association of Vice- Chancellors of Nigerian Universities, University of Ilorin, Ilorin. Key Note Address retrieved from

Ekong, Ekong E. (2002). *Management Styles in Nigerian Universities under Military Rule and the Challenges of Democracy: How Democratic Can University Management Be?* Accra: Association of African Universities.

Emiloju, Arijesuyo Amos, & Adeyoju, CA. (2012). The Challenges of Maintaining the Integrity of Public Examinations in Nigeria: The Ethical Issues. *International Education Studies, 5*(2), p18.

Enaohwo, J. Okpako. (1985). Emerging Issues in Nigerian Education: The Case of the Level and Scope of Growth of Nigerian Universities. *Higher Education, 14*(3), 307-319.

Enaohwo, J.O. (1985). Education and the national economy of Nigeria. *International Social Science Journal, 37*(104), 237-246.

Ercegovac, Zorana, & Richardson, John V. (2004). Academic Dishonesty, Plagiarism Included, in the Digital Age: A Literature Review. *College & Research Libraries, 65*(4), 301-318.

Erubami, M, & Young, I.R (2003). Nigeria's Corruption and Related Economic Behaviour in their Global Context *CHRRD Research Review* (Vol. 1). Ibadan: Centre for Human Rights Research and Development

Estevan, Fernanda, & Verheyden, Bertrand. (2005). The political economy of public spending between compulsory and higher education. *Romania, 10*, 23.27.

Examination Malpractices Act, 33 Stat. (1999 10th May 1999).

Fabunmi, Martins. (2005). Historical Analysis Of Educational Policy Formulation In Nigeria: Implications For Educational Planning And Policy. *International Journal of African & African American Studies, IV*(2), 1-7.

Fairweather, A.M. (1954). *Nature and Grace: Selections from the Summa Theologica of Thomas Aquinas*: Westminster Press.

Fapohunda, Olusegun. (2014, April 26th, 2014). Reasons Why Candidates Choose Some Institutions Over Others in UTME.   Retrieved 2014/18/07, 2014, from http://www.myschoolgist.com/ng/reasons-for-choice-of-institution/

Farnese, Maria Luisa, Tramontano, Carlo, Fida, Roberta, & Paciello, Marinella. (2011). Cheating Behaviors in Academic Context: Does Academic Moral Disengagement Matter? *Procedia - Social and Behavioral Sciences, 29*(0), 356-365. doi: http://dx.doi.org/10.1016/j.sbspro.2011.11.250

Farrales, Mark Jorgensen. (2005). What is Corruption? A History of Corruption Studies and the Great Definitions Debate.   Retrieved September 24, 2012, from SSRN http://ssrn.com/abstract=1739962 or http://dx.doi.org/10.2139/ssrn.1739962

Federal College of Education Zaria. (2009). *Student's Guide/Handbook* (Fourth ed.). Zaria: Federal College of Education, Zaria.

Federal Colleges of Education Act (1986).

Federal Ministry of Education. (1960). *Investment in Education: Report of the Commission on Post-School Certificate and Higher Education in Nigeria*. Lagos: Federal Government Printer.

Federal Ministry of Education. (2005). *Nigeria Education Sector Diagnosis*. Abuja: Federal Ministry of Education.

Federal Ministry of Education. (2009). *Roadmap for the Nigerian Education Sector*. Abuja: Federal Ministry of Education.

Federal Ministry of Education. (2011). Report of the Presidential Task Team on Education, Main Report (Volume I) l

May 2011. Abuja: Federal Ministry of Education.

Federal Ministry of Education. (2012a). *4-Year Strategic Plan for the Development of the Education Sector:2011-2015*. Abuja: Federal Ministry of Education.

Federal Ministry of Education. (2012b). The Federal Ministry of Education.   Retrieved 28/12, 2012, from http://www.fme.gov.ng/index.php?option=com_content&view=article&id=59&Itemid=28vision

Federal Ministry of Education. (2012c). *Meeting of the Secretary to the Government of the Federation and the Academic Staff Union of Universities (ASUU)*. Abuja: Federal Ministry of Education.

Federal Ministry of Education. (2012d). Tertiary Education.   Retrieved 28/12, 2012, from http://www.fme.gov.ng/index.php/departments/tertiary-education

Federal Polytechnic Act, Policy and Legal Advocacy Centre, 1979 No. 33 Stat. (1979 25th July, 1979).

Federal Polytechnics Act (1979).

The Constitution of the Federal Republic of Nigeria 1963 (1963).

Federal Republic of Nigeria. (1981). *National Policy on Education (Revised)*. Yaba-Lagos: NERC Press.

Constitution of the Federal Republic of Nigeria1999 (1999).

Federal Republic of Nigeria. (2007). *Draft National Policy on Education*. Abuja: NERDC Press, Yaba-Lagos.

Federal Republic of Nigeria. (2012a). Report of the Committee on Needs Assessment of Nigerian Public Universities.

Federal Republic of Nigeria. (2012b). Report of the Committee on Needs Assessment of Nigerian Public Universities.

Federal University of Technology Akure. (2008). *Students Handbook of Information 2008-2010*. Akure.

Federici, Silvia. (2000). The New African Student Movement. In S. Federici, C. G. Caffentzis & O. Alidou (Eds.), *A thousand flowers: social struggles against structural adjustment in African universities* (pp. 87-112). Trenton, New Jersey: Africa World Press Inc.

Filippakou, Ourania, Salter, Brian, & Tapper, Ted. (2012). Higher Education as a System: The English Experience. *Higher Education Quarterly, 66*(1), 106-122. doi: 10.1111/j.1468-2273.2011.00506.x

Friedrich, Carl J. (2002). Corruption Concepts in Historical Perspective. In J. Heidenheimer & M. Johnston (Eds.), *Political Corruption: Concepts and Contexts* (pp. 15-23). London: Transaction Publishers.

Frost, Sarah. (1996, 19 August). Bogus degree scandal discovered. *Times Higher Education*.

Gallant, Tricia Bertram, & Drinan, Patrick. (2006). Organizational Theory and Student Cheating: Explanation, Responses, and Strategies. *The Journal of Higher Education, 77*(5).

Galtung, Fredrik. (2006). Measuring the Immeasurable: Boundaries and Functions of (Macro) Corruption Indices. In C. Sampford, A. Shacklock, C. Connors & F. Galtung (Eds.), Measuring Corruption (pp. 101-130). Aldershot, Hampshire: Ashgate Publishing Limited.

Gambetta, Diego. (2002). Corruption: An Analytical Map. In S. Kotkin & A. Sajo (Eds.), *Political Corruption in Transition: A Skeptics Handbook*. Budapest: Central European University Press.

Gardiner, John. (2002). Defining Corruption. In J. Heidenheimer & M. Johnston (Eds.), *Political Corruption: Concepts and Contexts* (pp. 25-40). London: Transaction Publishers.

Gauthier, Bernard, & Reinikka, Ritva. (2007). Methodological Approaches to the Study of Institutions and Service Delivery: A review of PETS, QSDS and CRCS. *World Bank, mimeo*.

Gbenga, Adewale. (2004). Examination Malpractice: A Stigma on School Effectiveness in Nigeria. *Nigerian Journal of Educational Research and Evaluators*.

Graaf, Gjalt De. (2007). Causes of Corruption: Towards a Contextual Theory of Corruption. *Public Administration Quarterly, 31*(1/2), 39-86.

Gumport, Paricia J. (2000). Academic restructuring: Organizational change and institutional imperatives. *Higher Education, 39*(1), 67-91.

Hallak, Jacques, & Poisson, M. (2007). *Corrupt schools, corrupt universities: what can be done?* Paris: Unesco & IIEP.

Hallak, Jacques, & Poisson, Muriel. (2002). *Ethics and Corruption in Education. Results from the Expert Workshop (Paris, France, November 28-29, 2001). Policy Forum on Education*. Paris: United Nations Educational, Scientific Cultural Organization, International Institute for Educational Planning

Hallak, Jacques, & Poisson, Muriel. (2005). Ethics and corruption in education: an overview. *Journal of Education for International Development – 1(1), 1*(1), 1-16.

Hawken, Angela, & Munck, Gerardo L. (2009). *Do you know your data? Measurement validity in corruption research*. Unpublished typescript, Pepperdine University and University of Southern California, Malibu, CA, and Los Angeles.

Hay, Colin. (2006). Political Ontology. In R. E. Goodin & C. Tilly (Eds.), The Oxford Handbook of Contextual Political Analysis. Oxford: Oxford University Press.

Heidenheimer, ArnoldJ. (2004). Disjunctions between corruption and democracy? A qualitative exploration. *Crime, Law and Social Change, 42*(1), 99-109. doi: 10.1023/B:CRIS.0000041039.59712.db

Heyneman, Stephen P. (2004). Education and Corruption. *International Journal of Educational Development, 24*(6), 637-648.

Heyneman, Stephen P. (2007). Buying Your Way into Heaven:The Corruption of Education Systems in GlobalPerspective. *Perspectives on Global Issues, Volume 2, Issue 1 2*(1).

Heyneman, Stephen P. (2010). Education and Development: A return to basic principles. *Development, 53*(4), 518-521. doi: 10.1057/dev.2010.85

Heyneman, Stephen P. (2011). The concern with corruption in higher education. In T. B. Gallant (Ed.), *Creating the Ethical Academy: A systems approach to understanding misconduct and empowering change in higher education*. New York: Routledge.

Heyneman, Stephen P. . (2009). Education Corruption in International Perspective: An Introduction. In S. P. Heyneman (Ed.), *Buying Your Way into Heaven:Education and Corruption in International Perspective*. Rotterdam: Sense Publishers, Rotterdam.

Heyneman, Stephen P., Anderson, Kathryn H., & Nuraliyeva, Nazym. (2008). The Cost of Corruption in Higher Education. *Comparative Education Review, 52*(1), 1-25.

Heywood, Paul. (1997). Political Corruption: Problems and Perspectives. *Political Studies, 45*(3), 417-435. doi: 10.1111/1467-9248.00089

. higher education. (2011) *Encyclopædia Britannica 2011 Concise*. Chicago: Encyclopædia Britannica

Hill, J. N. C. (2010). Corruption in the Courts: the Achilles' heel of Nigeria's regulatory framework? *Third World Quarterly, 31*(7), 1161-1179. doi: 10.1080/01436597.2010.518751

Hors, Irène. (2001). *Fighting corruption in customs administration : what can we learn from recent experiences? By Irène Hors*: Paris.

I.G.P. v. A.N.P.P. (2007) 18 NWLR (Pt. 1066) 457 at 495 - 496, paras. F - A (CA) (Court of Appeal 2007).

ICPC. (2012a). *ICPC Reviews Nigerian Universities Systems*. Abuja: Independent Corrupt Practices and Related Offences Commission Retrieved from http://icpc.gov.ng/icpc-reviews-nigerian-universities-systems/.

ICPC. (2012b). *ICPC to conduct System Review of Nigerian Universities*. Abuja: Independent Corrupt Practices and Other Related Offences Commission Retrieved from http://icpc.gov.ng/icpc-to-conduct-system-review-of-nigerian-universities/.

Idogho, PO. (2011). Higher Education in Nigeria and the Challenges Ahead. *European Journal of Educational Studies, 3*(2), 269-276.

Idoko, Clement. (2010). Only 16% JAMB applicants get admissions into varsities —FG •As Ekiti, Bayelsa, Jigawa, others get new varsities *Tribune*.

Igbineweka, V.O, Nwagwu, N.A, & Ogundiran, S.O. (2011). *Politics of Educational Management*. Lagos: National Open University of Nigeria.

Ijaiya, N.Y.S. . (2004). Agents of Examination Malpractice in Nigerian Public Examinations: The Strongest Links. *Nigerian Journal of Educational Research and Evaluators, Volume 5*(No 1), 75-83.

Ikebeli, Moses. (2012). How Nigerian students dominate Houdegbe varsity, *Vanguard*. Retrieved from http://www.vanguardngr.com/2012/08/how-nigerian-students-dominatehoudegbe-varsity/

Imam, Hauwa. (2012). Educational Policy in Nigeria from the Colonial Era to the Post-Independence Period. *Italian Journal of Sociology of Education, 1*.

Imonikhe, Justina, Aluede, Oyaziwo, & Idogho, Philipa. (2012). A Survey of Teachers' and Students' Perception of Sexual Harassment in Tertiary Institutions of Edo State, Nigeria. *Asian Social Science, 8*(1), 268-274. doi: 10.5539/ass.v8n1p268

Independent Advocacy Project. (2005). Nigeria Corruption Index (NCI) 2005. Lagos: Independent Advocacy Project.

Independent Advocacy Project. (2007). Nigeria Corruption Index (NCI) 2007. Lagos: Independent Advocacy Project.

Inegbedion, NA. (2004). Corruption and anti-corruption legislations in Nigeria–a critique. *University of Benin Law Journal, 7*(1), 139.

Inusa, Daniel. (2000, 22/4/2000). All about the University of Jos. Retrieved 22/2, 2011, from http://www.uiowa.edu/intlinet/unijos/unijos.htm

Isike, Christopher, & Idoniboye-Obu, Sakiemi. (2011). Throwing out the baby with the bath water : the third-term agenda and democratic consolidation in Nigeria's Fourth Republic : democratisation in Nigeria. *10*(1), 143-170. http://reference.sabinet.co.za/webx/access/electronic_journals/eisa_jae/eisa_jae_v10_n1_a7.pdf

Iwok, Kingsley, Ayado, Solomon, Niyi-Eke, Kola, Ogbonnaya, Obinna, Ogunmola-Omiliani, Taiwo, & Abulude, Samuel. (2013, 26/5/2013). Illegal Universities: Operations Stalled, Students Jittery, *Leadership*. Retrieved from http://leadership.ng/news/260513/illegal-universities-operations-stalled-students-jittery

Jang, Joseph M. Mandong. (2005). *Perceptions of Corruption In Nigeria: A Psychometric Study.* (Doctor of Business Administration), Argosy University/Sarasota, Sarasota Florida. Retrieved from www.argosy.sarasota.edu/dissertation/NewestDissertations-200502PDF/Jang,%20J.%20M.pdf

Jibril, Ibrahim. (2012). Message from the Provost Federal College Of Education [Technical] Bichi P. M. B. 3473, Kano State Report Presented to the Accreditation Team on 19th November, 2012. Retrieved 3/28/2013, 2013, from http://www.fedcolportalbici.com/message.asp

Jibril, Munzali. (2006). Nigeria. In J. J. F. Forest & P. G. Altbach (Eds.), *International Handbook of Higher Education Part 2: Regions and Countries* (Vol. 18, pp. 919-934): Springer.

Jimoh, Basil Olatunbosun, Ebrahim, Nader Ale, Ahmed, Shamsuddin, Taha, Zahari, Jolly, Okoza, Aluede, Oyaziwo, . . . İMAMOĞLU, Seval. (2009). Examination Malpractice In Secondary Schools In Nigeria: What Sustains It? *European Journal of Educational Studies, 1*(3), 101-108.

Jin, Xia, & Bin, Feng. (2007). Analysis of the Reasons and Countermeasures for Academic Corruption. *Chinese Education and Society, 40*(6), 95-105.

Johnson, J.B., & Reynolds, H.T. (2005). *Political Science Research Methods*: Cq Press.

Johnson, Vincent R. (2012). HIGHER EDUCATION, CORRUPTION, AND REFORM. *Contemporary Readings in Law & Social Justice, 4*(1), 478-495.

Johnson, Vincent R. . (2007). *Corruption in Education: A Global Legal Challenge* Retrieved from http://works.bepres.com/vincent_johnson/1

Johnston, Michael. (1991). Historical Conflict and the Rise of Standards. *Journal of Democracy, 2*(4), 48-60.

Jones, S. (2007). *Antonio Gramsci*: Taylor & Francis.

Kapur, Anup Chand. (1996). *Princciples of Political Science* (20th ed.). Ram Nagar, New Delhi: S. Chand & Company Ltd.

Kerkvliet, Joe. (1994). Cheating by economics students: A comparison of survey results. *Journal of Economic Education, 25*(2), 121.

Kibler, William L. (n.d). *Academic Dishonesty: A Student Development Dilemma Monograph 92-11*.

Kigotho, Wachira, & Lloyd, Marion. (2004). INTERNATIONAL NOTES. *Chronicle of Higher Education, 51*(12), A38-A38.

Kilani, Abdulrazaq. (2008). The Changing Faces of the Terror of Cultism in Nigerian Society: An Islamic Perspective. *Comparative Islamic Studies, 4*(1/2), 97-111. doi: 10.1558/cis.v4i1-2.97

Kingston, Kato Gogo. (2011). The Dynamics of Gang Criminality and Corruption in Nigeria Universities:

A Time Series Analysis. *African Journal of Law and Criminology, Vol. 1 Number 1 February 2011,*(1), pp. 58-68.

Klitgaard, Robert. (1998). International Cooperation Against Corruption. *Finance & Development, 35*(1).

Kothari, C.R. (2004). *Research Methodology: Methods & Techniques* (Second Revised ed.): Wishwa Prakashan.

Kurer, Oskar. (2005). Corruption: An Alternative Approach to Its Definition and Measurement. *Political Studies, 53*(1), 222-239. doi: 10.1111/j.1467-9248.2005.00525.x

Landu, V.B. (2004). Examination Malpractice: The Culprits' View. *Nigerian Journal of Educational Researchers & Evaluators, 5*(1), 142-147.

Langseth, Petter. (2006). Measuring Corruption. In C. Sampford, A. Shacklock, C. Connors & F. Galtung (Eds.), Measuring Corruption (pp. 57- 79). Aldershot, Hampshire: Ashgate Publishing Limited.

Le, Tuan Minh. (2007). Combating corruption in revenue administration. *The Many Faces of Corruption. Tracking Vulnerabilities at the Sector Level*, 335-338.

Leege, D.C., & Francis, W.L. (1974). *Political research: design, measurement, and analysis*: Basic Books.

Maassen, Peter. (2000). The Changing Roles of Stakeholders in Dutch University Governance. *European Journal of Education, 35*(4), 449.

Maassen, Peter, & Cloete, Nico. (2006). Global Reform Trends in Higher Education. In N. Cloete, P. Maassen, R. Fehnel, T. Moja, T. Gibbon & H. Perold (Eds.), *Transformation in Higher Education* (Vol. 10, pp. 7-33): Springer Netherlands.

Machiavelli, Nicolo. (2012). The Prince (W. K. Marriott, Trans.). In Jim Manis (Ed.), *The Electronic Classics Series* (pp. 133). Hazleton: PSU-Hazleton.

Mahmudat, Muhibbu-Din O. (2010). Intra-class struggle in Nigeria. *Journal of public administration and policy research, 2*(6), 88-95.

Matveev, Alexei. (2000). Political Economy of Public Higher Education Policy Reform: the Case of Russia. *Ten Years of Transition: Prospects and Challenges for the Future of Public Administration. Jables J. NISPACee, Hungarian Institute of Public Administration*.

McCabe, Donald L. , Feghali, Tony , & Abdallah, Hanin (2008). Academic Dishonesty in the Middle East: Individual and Contextual Factors. *Research in Higher Education, 49*, 451–467.

McCabe, Donald L. , & Trevino, Linda Klebe (1993). Academic Dishonesty: Honor Codes and Other Contextual Influences. *The Journal of Higher Education, 64*(5), 522-538.

McCabe, Donald L., Butterfield, Kenneth D., & Treviño, Linda Klebe. (2003). Faculty and Academic Integrity: The Influence of Current Honor Codes and Past Honor Code Experiences. *Research in Higher Education, 44*(3), 367.

McCabe, Donald L., Butterfield, Kenneth D., & Treviño, Linda Klebe. (2006). Academic Dishonesty in Graduate Business Programs: Prevalence, Causes, and Proposed Action. *Academy of Management Learning & Education, 5*(3), 294-305. doi: 10.5465/amle.2006.22697018

McCabe, Donald L., & Trevino, Linda Klebe. (1997). Individual and Contextual Influences on Academic Dishonesty: A Multicampus Investigation. *Research in Higher Education, 38*(3), 379-396.

McCabe, Donald L., Trevino, Linda Klebe, & Butterfield, Kenneth D. (2001). Cheating in Academic Institutions: A Decade of Research. *Ethics & Behavior, 11*(3), 219-232.

McCabe, Donald L., Treviño, Linda Klebe, & Butterfield, Kenneth D. (2002). Honor Codes and Other Contextual Influences on Academic Integrity: A Replication and Extension to Modified Honor Code Settings. *Research in Higher Education, 43*(3), 357-378.

McCorkle, C. O., Jr. (1971). The Changing Political Economy of Higher Education and Its Significance for United States Agriculture. *American Journal of Agricultural Economics, 53*(5), 718-727.

McMullan, M. (1961). A THEORY OF CORRUPTION Based on a Consideration of Corruption in the Public Services and Governments of British Colonies and ex-Colonies in West Africa. *The Sociological Review, 9*(2), 181-201. doi: 10.1111/j.1467-954X.1961.tb01093.x

Miller, Seumas, Roberts, Peter, & Spence, Edward. (2005). *Corruption and Anti-corruption: An applied Philosophical Approach*. Upper Saddle River, New Jersey: Pearson Prentice Hall.

Miller, William L. (2006). Perceptions, Experience and Lies: What Measures Corruption and What do Corruption Measures Measure? In C. Sampford, A. Shacklock, C. Connors & F. Galtung (Eds.), Measuring Corruption (pp. 163 - 185). Aldershot, Hampshire: Ashgate Publishing Limited.

Mouton, J. (1996). *Understanding Social Research*: Van Schaik Publishers.

Muijs, D. (2010). *Doing Quantitative Research in Education with SPSS*: SAGE Publications.

National Population Commission [Nigeria], & Macro, ORC. (2004). *Nigeria DHS EdData Survey 2004: Education Data for Decision-making*: National Population Commission.

National Universities Commission. (2013). Monday Bulletin (Vol. 8 No. 2, pp. 14). Abuja: National Universities Commission.

National Youth Service Corps. (2014). About the Scheme. Retrieved 10/10, 2014, from http://www.nysc.gov.ng/about/about.php

NBTE. (2013) NBTE Bulletin. *Vol. 2 No. 18*. Kaduna: National Board for Technnical Education.

Nigeria Defence Academy. (2014). Academic Branch. Retrieved May 1, 2014, 2014, from http://www.nda.edu.ng/content.php?pid=27

Nigeria Vision 2020. (2009). *Report of the Vision 2020 National Technical Working Group On Education Sector*   Abuja: Retrieved   from http://www.npc.gov.ng/vault/NTWG%20Final%20Report/education%20ntwg%20report.pdf.

Njoku, Placid C. (2002). *The Changing Roles of The National Universities Commission (NUC)*. Paper presented at the 4th National Training Programme for Senior University Managers (NATPSUMA) Organised by the National Universities Commission Abuja, 10th December 2002, Abuja. http://placidnjoku.com/THE%20CHANGING%20ROLES.htm

Nkinyangi, John A. (1991). Student Protests in Sub-Saharan Africa. *Higher Education, 22*(2), 157-173. doi: 10.2307/3447250

Nnoli, O. (1980). *Ethnic Politics in Nigeria*. Enugu: Fourth Dimension.

Nwadigwe, Charles E. (2007). Unwilling Brides: "Phallic Attack" as a Barrier to Gender Balance in Higher Education in Nigeria. *Sex Education: Sexuality, Society and Learning, 7*(4), 351-369.

Nwankwo, Isaac. (2011, January 14). Aftermath Of Strike:Students Smash ASUU's Car, *The Tide*. Retrieved from http://www.thetidenewsonline.com/2011/01/14/aftermath-of-strikestudents-smash-asuu%E2%80%99s-car/

Nwaopara, Anthony, Ifebhor, Anthony, & Ohiwerei, Frank. (2008). Proliferating illiteracy in the universities: A Nigerian perspective. *The International Journal for Educational Integrity, 4*(1), 31-42.

Nwauche, ES, & Nwobike, JC. (2005). Exclusive Jurisdiction of Nigerian Universities in Comparative Perspective, The. *Afr. J. Int'l & Comp. L., 13*, 314.

Nwauwa, Apollos O. (1993). The British Establishment of Universities in Tropical Africa, 1920-1948: A Reaction against the Spread of American 'Radical' Influence (La création des universités britanniques en Afrique tropicale, 1920-1948: une réaction contre la diffusion de l'influence radicale américaine dans les colonies). *Cahiers d'Études Africaines, 33*(130), 247-274.

Nye, J. S. (1967). Corruption and Political Development: A Cost-Benefit Analysis. *The American Political Science Review, 61*(2), 417-427.

Obanya, Pai. (2011). *Politics and the Dilemma of Meaningful Access to Education: The Nigerian Story*. Sussex: CREATE PATHWAYS TO ACCESS.

Obasi, Isaac Nnamdi. (2007). Analysis of the Emergence and Development of Private Universities in Nigeria (1999-2006). *Journal of Higher Education in Africa, 5*(2 & 3), 39-66.

Obasi, Isaac Nnamdi. (2008). *Private Higher Education and Public Policy in Africa: A Contrasting Case of Nigeria and Botswana*: Cuvillier Verlag.

Ocheje, Paul D. (2001). Law and Social Change: A Socio-Legal Analysis of Nigeria's Corrupt Practices and Other Related Offences Act, 2000. *Journal of African Law, 45*(2), 173-195. doi: 10.2307/3558954

Odion-Akhaine, Sylvester. (2009). The Student Movement in Nigeria: Antinomies and Transformation. *Review of African Political Economy, 36*(121), 427-433. doi: 10.1080/03056240903211133

Ofoegbu, Felicia I. (2009). Students Perception of the Role of Parents in Academia and Continued Examination Malpractice. *Education, 129*(3), 413-424.

Ojerinde, 'Dibu. (2010). *Implications of the Unified Tertiary Matriculation Examination (UTME) on Teacher Education in Nigeria*. Paper presented at the Paper Presented at the Maiden COP Teacher Conference organised by the Committee of Provosts and Colleges of Education in Nigeria. 27th -28th January, 2010. http://www.iaea.info/documents/paper_4d2278ff.pdf

Ojo, J.D. (1990). *Law and university administration in Nigeria*: Malthouse Press.

Okafor, Gloria Ogochukwu. (2011). The Ethical Behaviour of Nigerian Business Students (A Study of Undergraduate Students' in Business Schools). *Arabian Journal of Business and Management Review, 1*(3), 33-44.

Okafor, Nduka. (1971). *The development of universities in Nigeria* (First ed.). London: Longman Group Ltd.

Okafor, Nduka. (2011). One and a half centuries of the aspiration towards, and the development of, private universities in Nigeria, 1868-2010: A historical account. *European Journal of Educational Studies, 3*(2), 375 - 398.

Okeke, Ambrose N. (1986). *Administering Education in Nigeria: Problems and Prospects*: Heinemann Educational Books (Nigeria) Limited.

Okezie, Augustine. (2013). National Council on Education: Between decisions and implementation. Retrieved 12 May 2014, 2014, from http://blueprintng.com/new/2013/07/05/national-council-on-education-between-decisions-and-implementation/

Okojie, Julius A. (2008). *Licensing, Accreditation and Quality Assurance in Nigerian Universities: Achievements and Challenges*. Paper presented at the Paper presented at a session of 2008 CHEA Summer Workshop June 26-27.

Okome, M.O. (2013). State and civil society in Nigeria in the era of structural adjustment program, 1986-1993. In M. O. Okome (Ed.), *State Fragility, State Formation, and Human Security in Nigeria* (pp. 33-57). New York: Palgrave Macmillan.

Okoroma, N.S. (2007). The Supervisory Role of the National Universities Commission and the Management of Universities in the South-South Zone of Nigeria. *Educational Research Quarterly, 30*(4), 35-60.

Okunola, Rasidi Akanji, & Oke, Ezekiel Adewale. (2013). The Role and Interplay of the Family in the Perpetuation of Campus Cultism. *The Social Sciences, 8*(6), 552-559.

Okwu, Oto J. (2006). A Critique of Students' Vices and the Effect on Quality of Graduates of Nigerian Tertiary Institutions. *Journal of Social Science, 12*(3), 193-198.

Olasehinde-Williams, F. A. O. , Abdullah, I. O. E. , & Owolabi, H. O. (2003). The Relationships between Background Variables and Cheating Tendencies among Students of a Federal University in Nigeria. *Nigerian Journal of Educational Foundations, 6*(1).

Olatunji, Bukola. (2010). FG Names Location of Six New Varsities *ThisDay*. Retrieved from http://www.thisdayonline.info/nview.php?id=188313

Ololube, Nwachukwu Prince, Agbor, Comfort N, & Uriah, Oboada A. (2013). Vicious Hazard to Peace Culture in Tertiary Education: The Activities of the Secret Cults. *British Journal of Education, Society & behavioural Science, 3*(1), 65-75.

Oluwaniyi, Oluwatoyin O. (2011). Police and the institution of corruption in Nigeria. *Policing & Society, 21*(1), 67-83. doi: 10.1080/10439463.2010.541245

Oluwatobi, Pemede, & Babatunde, Viavonu. (2010). Cultism or Gangsterism and Its Effect on Moral Development of Learners in Nigerian Tertiary Institutions. *Journal of Emerging Trends in Educational Research and Policy Studies (JETERAPS), 1*(2), 61-64.

Omokhunu, Gbenga. (2012a). '60% of graduates unemployable', *The Nation*. Retrieved from http://www.thenationonlineng.net/2011/education/56860-'60%-of-graduatesunemployable'.html

Omokhunu, Gbenga. (2012b). Exam racketeers make N25bn annually ——NOA, *The Nation*. Retrieved from http://www.thenationonlineng.net/2011/news-update/52976-exam-racketeersmake-n25bn-annually-——noa.html

Omuta, Gideon E.D. (2010). *The Place of Private Participation in Higher Education: A Periscope On Private Universities in Nigeria*: Centre for Population and Environmental Development (CPED).

Onuka, Adams, & Amoo, S.A (2008). Examination Malpractice and Act 33 of 1999.

Oredein, A.O. (2004). Checking Examination Malpractice in Nigerian Schools. *Nigerian Journal of Educational Research and Evaluators, 5*(1).

Osipian, Ararat L. (2004). Corruption as a Legacy of the Medieval University: Financial Affairs. Available from EBSCOhost eric, from Online Submission http://search.ebscohost.com/login.aspx?direct=true&db=eric&AN=ED499955&site=ehost-live

Osipian, Ararat L. (2007a). Corruption in Higher Education: Conceptual Approaches and Measurement Techniques. *Research in Comparative and International Education, 2*(4), 313?332.

Osipian, Ararat L. (2007b). Higher Education Corruption in the World Media: Prevalence, Patterns, and Forms. Available from EBSCOhost eric, from Online Submission http://search.ebscohost.com/login.aspx?direct=true&db=eric&AN=ED499687&site=ehost-live

Osipian, Ararat L. (2008a). Corruption in Higher Education: Does It Differ across the Nations and Why? *Research in Comparative and International Education, 3*(4), 345-365.

Osipian, Ararat L. (2008b). Political Graft and Education Corruption in Ukraine: Compliance, Collusion, and Control. *Demokratizatsiya, 16*(4), 323-344.

Osoba, Segun. (1996). Corruption in Nigeria: Historical perspectives. *Review of African Political Economy, 23*(69), 371.

Otti, Sam. (2012). The Big WAEC Scam, *The Sun*.

Oyekola, Tunde. (2011, Monday, 07 March). NANS expresses confidence in AGF *Nigerian Tribune*. Retrieved from http://tribune.com.ng/index.php/news/18501-nans-expresses-confidence-in-agf?tmpl=component&print=1&page=

Pande, Rohini. (2008). Understanding Political Corruption in Low Income Countries. In T. P. Schultz & J. Strauss (Eds.), Handbook of Development Economics. In K. J. Arrow & M. D. Intriligator (Series Eds.), Handbooks in Economics (First ed., Vol. 4, pp. 3155 -3184). Amsterdam: Elsevier.

Pasha, Hafiz A. (1995). Political Economy of Higher Education: A Study of Pakistan. *Pakistan Economic and Social Review, 33*(1/2), 19-36.

Peil, M. (1976). *Nigerian politics: the people's view*: Cassell.

Persson, Anna, Rothstein, Bo, & Teorell, Jan. (2013). Why Anticorruption Reforms Fail—Systemic Corruption as a Collective Action Problem. *Governance, 26*(3), 449-471. doi: 10.1111/j.1468-0491.2012.01604.x

Peters, John G., & Welch, Susan. (1978). Political Corruption in America: A Search for Definitions and a Theory, or If Political Corruption Is in the Mainstream of American Politics Why Is it Not in the Mainstream of American Politics Research? *The American political science review, 72*(3), 974-984. doi: 10.2307/1955115

Peterson, R. D. (1988). Political Economy of Higher Education. *Education, 109*(2), 212.

Philp, Mark. (1997). Defining Political Corruption. *Political Studies, 45*(3), 436-462. doi: 10.1111/1467-9248.00090

Plessis, Charl du, & Plessis, Carien du. (2014). Zuma wanted charges dropped because corruption is a Western thing, *City Press*. Retrieved from http://www.citypress.co.za/politics/corruption-western-thing/

Popoola, B. I., & Alao, K. A. (2006). Secret Cults in Nigerian Institutions of Higher Learning: Need for a Radical Intervention Programme. *Journal of School Violence, 5*(2), 73-85. doi: 10.1300/J202v05n02_06

Porta, D.D., & Keating, M. (2008a). How many approaches in the social sciences? An epistemological introduction. In D. D. Porta & M. Keating (Eds.), *Approaches and Methodologies in the Social Sciences: A Pluralist Perspective*: Cambridge University Press.

Porta, D.D., & Keating, M. (2008b). Introduction. In D. D. Porta & M. Keating (Eds.), *Approaches and Methodologies in the Social Sciences: A Pluralist Perspective* (pp. 1-18): Cambridge University Press.

Post, K., & Vickers, M. (1973). *Structure and conflict in Nigeria, 1960-1966*: University of Wisconsin Press.

Precupetu, Iuliana. (2007). *Corruption in Romania: first steps towards a grounded theory of corruption*: Bibliothek der Universität Konstanz.

Prince. (2009). Undergraduates Seek Restraining Order against EFCC.

Riordon, William L. (1963). Plunkitt of Tammany Hall: A Series of Very Plain Talks on Very Practical Politics, Delivered by Ex-senator George Washington Plunkitt, the Tammany Philosopher, from His Rostrum — the New York County Court House Bootblack Stand. *The Project Gutenberg, 2001*.

Rivers State University of Education Rumuolumeni, Port Harcourt, Law 2009, No 8 0f 2009 Stat. (2009).

Robertson, David. (1998). The emerging political economy of higher education. *Studies in Higher Education, 23*(2), 221-228. doi: 10.1080/03075079812331380414

Robotham, Don. (2005). Political Economy. In J. G. Carrier (Ed.), A Handbook of Economic Anthropology (pp. 41-58). Cheltenham, UK • Northampton, MA, USA: Edward Elgar.

Rose-Ackerman, Susan. (2006). *The Political Economy of Corruption: Research and Policy* . . Paper presented at the Primera Confrencia International Sobre Corrupcion y Transparencia, UNAM, Mexico City. Keynote Address retrieved from www.corrupcion.unam.mx/documentos/ponencias/rose.pdf

Rose–Ackerman, Susan. (2008). Corruption and Government. *International Peacekeeping, 15*(3), 328-343. doi: 10.1080/13533310802058802

Rose, Jonathan, & Heywood, PaulM. (2013). Political science approaches to integrity and corruption. *Human Affairs, 23*(2), 148-159. doi: 10.2478/s13374-013-0116-6

Rotimi, Adewale. (2005). Violence in the Citadel:The Menace of Secret Cults in the Nigerian Universities. *Nordic Journal of African Studies, 14*(1), 79-98.

Rousseau, Jean-Jacques, 1712-1778; , & Cole, G. D. H. (George Douglas Howard), 1889-1959. (1923). ROUSSEAU'S SOCIAL CONTRACT, ETC.TRANSLATED WITH INTRODUCTION BY G. D. H. COLE. London: Dent.

Rumyantseva, Nataliya L. (2005). Taxonomy of Corruption in Higher Education. *Peabody Journal of Education (0161956X), 80*(1), 81-92.

Sahara Reporters. (2010). Sex-For –Grade Scandal: Judith Okosun's Lawyer Sheds Light On What Transpired. Retrieved August 16, 2012, from http://www.saharareporters.com/news-page/sex-%E2%80%93grade-scandal-judith-okosun%E2%80%99s-lawyer-sheds-light-what-transpired

Sahara Reporters. (2013, 2013/10/16). ASUU Strike: Government Blinks, Agrees To Spend N200b Each For Four Years To Bring Nigerian Universities Up To World Standard. Retrieved 2014/06/02, 2014, from http://saharareporters.com/2013/10/16/asuu-strike-government-blinks-agrees-spend-n200b-each-four-years-bring-nigerian

Salisu, M (2006). *Corruption in Nigeria*. Lancaster University Management School Working Paper 2000/006. Lancaster University, LA1 4YX. Lancaster. Retrieved from http://www.lums.co.uk/publications

Samson, Kukogho Iruesiri. (2014). Web CriminalOSPOLY Student Jailed Over WAEC Exam Scam. Retrieved 15/01/, 2015, from http://pulse.ng/student/web-criminal-ospoly-student-jailed-over-waec-exam-scam-id3208366.html

Savedoff, William. (2011). Public Expenditure Tracking Surveys: Planning, Implementation and Uses. *Implementation and Uses (June 10, 2008)*.

Sayed, Taleh, & Bruce, David. (1998). Police Corruption: Towards a Working Definition. *African Security Review, 7*(1), 3-14. doi: 10.1080/10246029.1998.9627832

Schultz, Theodore W. (1961). Investment in Human Capital. *The American Economic Review, 51*(1), 1-17. doi: 10.2307/1818907

Scott, James C. (1969). The Analysis of Corruption in Developing Nations. *Comparative Studies in Society and History, 11*(3), 315-341.

Selltiz, C., Wrightsman, L.S., Cook, S.W., & Issues, Society for the Psychological Study of Social. (1976). *Research methods in social relations*: Holt, Rinehart and Winston.

Shah, Anwar. (2006). Corruption and decentralized public governance. *World Bank Policy Research Working Paper*(3824).

Shamase, Nelly. (2012, 29 June). Professor investigated for plagiarism, *Mail & Guardian*. Retrieved from http://mg.co.za/article/2012-06-28-professor-investigated-for-plagiarism

Shaw, Philip. (2007). Educational corruption and growth. *University of Connecticut, Job Market Paper*.

Shleifer, Andrei, & Vishny, Robert W. (1993). Corruption. *Quarterly Journal of Economics, 108*(3), 599.

Shore, Cris, & Haller, Dieter. (2005). Introduction - Sharp Practice: Anthropology and the Study of Corruption. In D. Haller & C. Shore (Eds.), *Corruption: Anthropological Perspectives* (pp. 1-26). London: Pluto Press.

Shu'ara, Jamila. (2010). *Governance of Federal Universities in Nigeria - General Responsibilities of the Governing Council*. Paper presented at the Retreat for the Governing Council of the Federal University of Agriculture Abeokuta at the Lagos State Resource Centre , Akodo – Lekki, Epe Road on the 13th of May 2010., Lagos.

Simone, Joseph V. (2009). Institutional culture. *Oncology Times, 31*(5), 5-6.

Sims, Randi L., Gong, Baiyun, & Ruppel, Cynthia P. (2012). A contingency theory of corruption: The effect of human development and national culture. *The Social Science Journal, 49*(1), 90-97. doi: 10.1016/j.soscij.2011.07.005

Smah, Sam O. (2011). Perception and Control of Secret Cult and Gang-induced Difficulties for

Quality Living and Learning in Nigerian Universities: The Case study of

Universities in the Middle Belt Zone.

Smith, J., Obidzinski, K., Subarudi, Subarudi, & Suramenggala, I. (2003). Illegal logging, collusive corruption and fragmented governments in Kalimantan, Indonesia. *International Forestry Review, 5*(3), 293-302. doi: 10.1505/IFOR.5.3.293.19138

Snape, Dawn, & Spencer, Liz. (2003). The Foundations of Qualitative Research. In J. Ritchie & J. Lewis (Eds.), *QUALITATIVE RESEARCH PRACTICE A Guide for Social Science Students and Researchers*. London • Thousand Oaks • New Delhi: SAGE Publications.

Sorabjee, Soli Jehangir. (1999). Questions of the violation of human rights and fundamental freedoms in any part of the world: situation of human rights in Nigeria" (report submitted by the special rapporteur of the commission on human rights, Mr. Soli Jehangir Sorabjee, pursuant to Commission resolution 1997/53 (pp. 19): Commission on Human Rights, Economic and Social Council, United Nations.

Søreide, T. (2014). *Drivers of Corruption: A Brief Review*: World Bank Publications.

Sproull, Natalie L. (1995). *Handbook of Research Methods: A Guide for Practitioners and Students in the Social Sciences* (Second ed.). Metuchen, N.J.: The Scarecrow Press, Inc.

Stephen P. Heyneman, Kathryn H. Anderson, & Nazym Nuraliyeva. (2008). The Cost of Corruption in Higher Education. *Comparative Education Review, 52*(1), 1-25.

Sung, Hung-En. (2002). A convergence approach to the analysis of political corruption: A cross-national study. *Crime, Law and Social Change, 38*, 137-160.

Sykes, C.J. (1990). *The Hollow Men: Politics and Corruption in Higher Education*: Regnery Publishing, Incorporated, An Eagle Publishing Company.

Tanaka, Shinichiro. (2001). Corruption in Education Sector Development: A Suggestion for Anticipatory Strategy. *International Journal of Educational Management, 15*(4), 158-166.

Tanzi, Vito. (1998). Corruption Around the World: Causes, Consequences, Scope, and Cures. *Staff Papers - International Monetary Fund, 45*(4), 559-594. doi: 10.2307/3867585

Tanzi, Vito, & Davoodi, Hamid. (2000). Corruption, growth, and public finances *IMFW orkingP aper9 7/139* Washington International Monetary Fund.

Tawari, Osa C., & Koko, Maureen. (1996). Student Enrolment and Educational Expenditure in University Education: An Examination of Trends in Nigeria (1980-1990). *Int. J. Educational Development, 16*(1), 79-87.

Teachers Registration Council of Nigeria. (2010). *Professional Standards for Nigerian Teachers*. Abuja: Teachers Registration Council of Nigeria.

Teferra, Damtew, & Altbach, Philip G. (2004). African Higher Education: Challenges for the 21st Century. *Higher Education, Vol. 47, No. 1 (Jan., 2004), pp. 21-50, 47*(1), 21-50.

Teixeira, Aurora A.C., & Rocha, Maria Fátima. (2006). Academic Cheating in Austria, Portugal, Romania and Spain: a comparative analysis *Research in Comparative and International Education, 1*(3), 198-209.

Tella, Adedeji. (2008). Reformation, Revitalization and Re-Orientation in Higher Education: Which Way Africa? A Policy Recommendation. In J. B. Babalola, L. Popoola, A. Onuka, S. Oni, W. Olatokun & R. Agbonlahor (Eds.), *Revitalization of African Higher Education* (pp. 358-365). Ibadan: Higher Education Research and Policy Network & The Postgraduate School, University of Ibadan, Ibadan.

Temple, Paul, & Petrov, Georgy. (2004). Corruption in Higher Education: Some Findings from the States of the Former Soviet Union. *Higher Education Management and Policy, 16*(1), 83 - 99.

The Federal Polytechnic Ado-Ekiti. (2012). *2012 Prospectus*. Lagos: Landmark Publications Limited.

Tierney, William G. (1988). Organizational Culture in Higher Education: Defining the Essentials. *The Journal of Higher Education, 59*(1), 2-21. doi: 10.2307/1981868

Tilman, Robert O. (1968). Emergence of Black-Market Bureaucracy: Administration, Development, and Corruption in the New States. *Public Administration Review, 28*(5), 437-444.

Tobi, Niki. (2008). *The Rule of Law and Anti-Corruption Crusade in Nigeria*. Paper presented at the 9th Justice Idigbe Memorial Lecture, Akin Deko Auditorium, University of Benin, Benin City, Nigeria

Torres, Carlos A., & Schugurensky, Daniel. (2002). The Political Economy of Higher Education in the Era of Neoliberal Globalization: Latin America in Comparative Perspective. *Higher Education, 43*(4), 429-455.

Transparency International. (2007a). Corruption in the education sector.

Transparency International. (2007b) Global Corruption Report. Cambridge: Transparency International

Cambridge University Press.

Transparency International. (2007c). Mapping of Corruption and Governance Measurement Tools in Sub-Saharan Africa: Transparency international & UNDP.

Transparency International. (2013). Global Corruption Barometer 2013.

Trevino, Linda Klebe, & Youngblood, Stuart A. (1990). Bad Apples in Bad Barrels: A Causal Analysis of Ethical Decision-Making Behavior. *Journal of Applied Psychology, 75*(4), 378-385.

Ughegbe, Lemmy. (2011). Panel confirms leakage of 2010 Law School exam *The Guardian*. Retrieved from http://www.ngrguardiannews.com/index.php?view=article&catid=1%3Anational&id=50115%3Apanel-confirms-leakage-of-2010-law-school-exam&tmpl=component&print=1&layout=default&page=&option=com_content&Itemid=559

United Nations Development Programme. (2011). *Fighting Corruption in the Education Sector: Methods, Tools and Good Practices*. New York: United Nations Development Programme.

University of Nigeria Act (1985).

University of Port Harcourt. (2008). Student's Handbook. In University of Port Harcourt (Ed.). Port Harcourt: Department of Students Affairs, University of Port Harcourt,.

University of Port Harcourt Act. (1979).

Uzoigwe, G. O. . (2007). *Corruption in Education and Assessment Systems: The WAEC Experience in Nigeria*. Paper presented at the International Association for Educational Assessment Annual Conference, 16-21 September, Baku, Azaerbaijan,. http://www.iaea.info/documents/paper_1162d1b538.pdf

Van Klaveren, Jacob. (2002). Corruption as a historical phenomenon. In A. J. Heidenheimer & M. Johnston (Eds.), *Political Corruption: Concepts and Contexts* (pp. 83-94). London: Transaction Publishers.

Van Roy, Edward. (1970). Theory of Corruption. *Economic Development & Cultural Change, 19*(1), 86.

Vanguard. (2009, 10/04/2009). NUC shuts illegal university in Nsukka, *Vanguard*. Retrieved from http://www.vanguardngr.com/2009/10/nuc-shuts-illegal-university-in-nsukka/

Vanguard. (2013). Everybody Wants University Place, *Vanguard Newspapers*. Retrieved from http://www.vanguardngr.com/2014/01/everybody-wants-university-place/

Voorbraak, Doris, Kaiser, Kai, & Gurkan, Asli. (2009). Implementing public expenditure tracking surveys for results: lessons from a decade of global experience. Washington DC: The World Bank.

Waite, Duncan, & Allen, David. (2003). Corruption and Abuse of Power in Educational Administration. *Urban Review, 35*(4), 281-296.

Washburn, J. (2006). *University, Inc.: The corporate corruption of higher education*: Basic Books.

Watson, Matthew. (2011). The Contradictory Political Economy of Higher Education in the United Kingdom. *The Political Quarterly, 82*(1), 16-25. doi: 10.1111/j.1467-923X.2011.02171.x

Weidman, John C., & Enkhjargal, Adiya. (2008). Corruption in Higher Education. In D. P. Baker & A. W. Wisemen (Eds.), The Worldwide Transformation of Higher EducationInternational perspectives on education and society (Vol. 9, pp. 63-88). Bingley.

Weingast, B.R., & Wittman, D. (2008). *The Oxford Handbook of Political Economy*: OUP Oxford.

Werner, Simcha B. (1983). New Directions in the Study of Administrative Corruption. *Public Administration Review, 43*(2), 146-154.

Williams, R.C. (2007). *The Historian's Toolbox: A Student's Guide to the Theory and Craft of History*: M.E. Sharpe.

Willott, Chris. (2011). "Get to the bridge and I will help you to cross": Merit, Personal Connections and Money in Access to Nigerian Higher Education. *Africa Spectrum, 46*(1).

Windolf, Paul. (1997). *Expansion and structural change: Higher Education in Germany, the United States and Japan, 1870-1990*. Boulder, CO: Westview Press.

WordWeb (Producer). (2012). Corruption. *WordWeb Online*. Retrieved from http://www.wordwebonline.com/

World Bank. (1997). Helping Countries Combat Corruption: The Role of the World Bank. Washington DC: World Bank Group.

Yabani, A.M. (2006). Vision and Mission of Polytechnic Education in Nigeria In B. Borishade & P. Okebukola (Eds.), *Repositioning HIgher Education in Nigeria: Proceedings of the Summit on Higher Education in Nigeria* (pp. 17-23). Ibadan: Heinemann Educational Books (Nigeria) Plc.

Yang, Dean. (2008). Integrity for hire: an analysis of a widespread customs reform. *Journal of Law and economics, 51*(1), 25-57.

Yang, Li. (2007). Atypical Corruption at Institutions of Higher Learning. *Chinese Education and Society, 40*(6-), 6-11.

Yin, Sandra. (2007). Objections Surface Over Nigerian Census Results.   Retrieved 2014/07/15, 2014, from prb.org /Publications/Articles/2007/ObjectionsOverNigerianCensus.aspx

Yusuf, Babatunde Omot. (2012). 544 students Expelled In Enugu State University of Science and Technology- ESUT Over Illegal Admission Retrieved from http://jambume.blogspot.com/2012/02/544-students-expelled-in-enugu-state.html

APPENDICES

Appendix 1: Letter to Heads of Institutions

<div align="center">

University of KwaZulu-Natal
School of Politics
Pietermaritzburg
Informed Consent Document

</div>

………………………………
………………………………
………………………………
………………………………
………………………………

Dear Sir/Madam

REQUEST FOR ACCESS TO STAFF AND STUDENTS TO CONDUCT FOCUS GROUP DISCUSSIONS, INTERVIEWS, AND SURVEYS FOR THE PURPOSE OF GATHERING INFORMATION FOR DISSERTATION

My name is Sakiemi A. Idoniboye-obu. I am a student currently registered for PhD in the School of Politics, Faculty of Humanities, Development, and Social Sciences, University of KwaZulu-Natal, Pietermaritzburg. A requirement for the degree is a dissertation. I am working on the topic:

<div align="center">

"Corruption in Higher Education in Nigeria: Prevalence, Structures and Patterns among Students of Higher Education Institutions"

</div>

and your institution has been selected for the study.

The purpose of this research is to gather information on the topic. Information collected by the various instruments will be retrieved and used for the study. The names of your staff and students will not be included in the report and no personal information about them will be disclosed as only summary data will be reported. Their anonymity and confidentiality is of the greatest importance to me and will be preserved throughout the study. With this understanding, I wish to request you to kindly authorize your staff and students to cooperate with me by providing answer to the questions in the questionnaires and other instruments as truthfully as they can.

Please note that I am carrying out this research in my personal capacity. I can be reached at 208518002@ukzn.ac.za or on +2348033576455 in Nigeria or +27715878866 South Africa.

My academic supervisor is Prof. NI Okeke-Uzodike of the School of Politics University of KwaZulu-Natal, Pietermaritzburg. He can be reached at Uzodike@ukzn.ac.za or +27716057176.

I also want to emphasize that the participation of your staff and students in this research is totally voluntary, and they individually have the right to withdraw at any time during the study.

I acknowledge the time and effort it would take to participate in this study and wish to express my gratitude for your participation and contribution to the completion of my dissertation.

Yours sincerely,

SA Idoniboye-obu

Please complete the section below; and then detach it and return to me:

I ………………………………………….…………………………………………
(Full names of Head of Institution or designated officer) of

…………………………………………………………………………………
(Name of Institution), hereby confirm that I understand the contents of this document and the nature of the research and voluntarily consent to permit my staff and students to participate in the research.

I understand that my staff and students can individually withdraw from the project any time should they so decide.

Signature of Head of Institution ……………………………. Date…………………

Appendix 2: Cover letter and Inform Consent form for survey participants

<div align="center">

University of KwaZulu-Natal
School of Politics
Informed Consent Document

</div>

Dear Respondent

My name is Sakiemi A. Idoniboye-obu. I am a student currently registered for PhD in the School of Politics University of KwaZulu-Natal, Pietermaritzburg. A requirement for the degree is a dissertation and I am working on the topic:

<div align="center">

"Corruption in Higher Education in Nigeria:
Prevalence, Structures and Patterns among Students of Higher Education Institutions"

</div>

Please note that I am carrying out this research in my personal capacity. I can be reached at 208518002@ukzn.ac.za or on +2348033576455 in Nigeria or +27715878866 South Africa.

My academic supervisor is Prof. Ufo Okeke-Uzodike of the School of Politics, University of KwaZulu-Natal, Pietermaritzburg. He can be reached at Uzodike@ukzn.ac.za or +27-33 - 260 - 5285.

The purpose of this research is to gather information on the topic. Information collected in this instrument will be retrieved and used for the study. Your name will not be included in the report and no personal information about you will be disclosed as only summary data will be reported. Your anonymity and confidentiality is of the greatest importance to me and will be preserved throughout the study. With this understanding, I wish to request that you kindly answer the questions in this questionnaire as truthfully as you can.

I also want to emphasize that your participation in completing the questionnaire is totally voluntary, and you have the right to withdraw at any time during the study.

I acknowledge the time and effort it would take to participate in this study and wish to express my gratitude for your participation and contribution to the completion of my dissertation.

Please complete the section below:

I ……………………………………………. (Full names of participant) hereby confirm that I understand the contents of this document and the nature of the research and voluntarily consent to participate in completing the questionnaire.

I understand that I can withdraw from the project any time should I so decide.

Signature of Participant …………………………… Signature of Researcher………………………
Date……………………… Date………………………

Appendix 3: Students questionnaire

UNIVERSITY OF KWAZULU-NATAL,
SCHOOL OF POLITICS
PIETERMARITZBURG

QUESTIONNAIRE ON CORRUPTION IN HIGHER EDUCATION IN NIGERIA

HOW TO FILL THIS QUESTIONNAIRE:
- **Where options are provided, underline or put an 'X' against the answer that best reflects your views as appropriate.**
- **Where no options are supplied, please write down your responses on the space (lines) provided.**

A: Information on family setting

1. What is your gender?

Male		Female		Other	

2. What is the highest educational level attended by your parents/guardians?

Family member	University	Coll. Of Education	Poly	Senior Sec	Junior Sec	Primary	No formal Education
Father							
Mother							
Guardian (male)							
Guardian (female)							

3. What is the marital status of your parents?

a	Married to each other	
b	Never married	
c	Separated	
d	Divorced	
e	Remarried to others	
f	My father is dead and my mother remarried	
g	My mother is dead and my father remarried	
h	Others	

4. Who is responsible for your education?

Parents together	Father Alone	Mother Alone	Husband	Guardian	Benefactors	Self	Other (Please specify

5. Who do you live with?

Parents together	Father Alone	Mother Alone	Husband	Guardian	Benefactors	Self	No regular home

336

6. Do you feel free to discuss your opinions, hopes, fears, and problems in your home? YES/NO

7. Do you discuss your relationship problems – academic and non-academic – at school with your parents/guardians? YES/NO

8. To which parent are you **more open**?

Father		mother		Neither	

- If 'neither', please specify..

9. How would you describe the attitude of your Father when you fail to meet an expectation (you may tick more than one)

Judgmental	Fault finding	Abusive	Selfish	Encouraging	Caring	Sensitive

10. How would you describe the attitude of your mother when you fail to meet an expectation (you may tick more than one)

Judgmental	Fault finding	Abusive	Selfish	Encouraging	Caring	Sensitive

11. Do your parents hold you to some standard you had no part in formulating? YES/NO

12. If 'yes', can you recall any such standard(s)?
_____
_____

13. Do they find out what you want and then assist you to achieve your goal? YES/NO

14. Does it matter to your parents how you achieve your goals? YES/NO

15. How would you describe the authority pattern in your home?
_____
_____
_____

16. Would you say that the environment of your home is democratic or authoritarian?
_____

B: Information on institutional setting

1	Name of institution	
2	Faculty	
3	Department	
4	Course of study	
5	Level	
6	Duration of course	

7. By what mode were you admitted into your institution?

Examination	
Direct Entry	
Others (Specify)	

8. Which of the following is one likely to encounter in seeking admission into your present institution?

	Demand for bribe	Bureaucratic red tape	Unsolicited intervention (help)	Need for 'connections'	Secrecy about process	Parental involve-ment	Openness and transparency of procedures
Yes							
No							

9. In your opinion, is the admission process free? YES/NO

10. In your opinion, is the admission process fair? YES/NO

11. Was your institution your first choice in JAMB? YES/NO

12. If 'No', could you please briefly explain why you came to this institution?
_____
_____
_____

13. Are you studying the course you really wanted to study? YES/NO

14. If 'No', could you please explain the reason for your change of course? [You may wish to check against any of the reasons suggested below that apply in your case].

Could not make the cut-off in JAMB for my preferred course	
Do not have the right subject combination in my school certificate	
My preferred course is not offered at this institution	
I was tired of staying at home, so any course that could get me into school was good enough	
The course I am doing will enable me on graduation to obtain direct entry to study my preferred course	
Any other reason(s)	

15. Were you given full information about registration processes and procedures on admission? YES/NO

16. How did you receive your notice of admission?

By checking on the Internet	
By checking the notice board of the institution	
By postage (e-mail, post office, courier)	
Others (Please specify)	

17. Did your parents/guardians play any other role in your admission besides giving you money and emotional support? YES/NO

18. Considering your experience, do you think it is possible for a less qualified candidate to be admitted in place of a better qualified one? YES/NO

19. How many times did you write JAMB and post-UME/PCE before you got into school?

Number of times JAMB UME/PCE was taken	
Number of times post-UME/PCE was taken	

20. Are you working in addition to your schooling fulltime? YES/NO

21. Where do you live during the session?

Hostel	
Staff quarters	
Off-campus accommodation	
Family Home	
Any other (please specify)	

22. In what year were you born?

C: Awareness and knowledge

1. If educational corruption is defined as conduct in the performance of educational duties [such as teaching, learning, and administration] which betrays the values that form the moral basis for the educational process, and harms or 'tend to harm, in a significant way, either the educational institution, its constituents, or its beneficiaries', which conduct of students will you describe as corrupt?

   - -----------------------------------
   - -----------------------------------
   - -----------------------------------
   - -----------------------------------
   - -----------------------------------
   - -----------------------------------

   - -----------------------------------
   - -----------------------------------
   - -----------------------------------
   - -----------------------------------
   - -----------------------------------
   - -----------------------------------

2. Are you aware of the existence in your institution of any set of rules students are expected to abide by? YES/NO

3. Do you study such rules? YES/NO

4. How familiar are you with such rules? [very familiar; familiar; not familiar; not very familiar]

5. Are there different sets of rules for different areas of student activities, for example, accommodation and examinations? YES/NO

6. Are the rules generally obeyed by students? YES/NO

7. Could you please mention any students' rights? ------------------------------------
----

----

8. Have you ever been involved in examination malpractice? YES/NO

9. If institutional culture is defined as "the totality of the set of beliefs, values, attitudes, and practices which regularly inform and make meaning of conduct in an organization", would you describe the culture of your institution as corrupt? YES/NO Please explain.--
----

----

10. Why do you think students participate in corrupt practices? ----------------------
----

----

11. Could you please mention any such practices you are familiar with? ------------
----

----

12. In their interaction with administrative staff and lecturers, where would a student more likely encounter corruption? -- --

13. Are there adequate library facilities in your institution? YES/NO

14. Are your classrooms adequately equipped? YES/NO

15. How are students seated during examinations (in terms of spacing and student numbers)?   -- -- ---

16. Are your lecturers regular at lectures? YES/NO

17. Do you see your lecturers as people who take their work seriously? YES/NO

18. Would you say that the rules regarding residency in hostels are enforced? YES/NO

19. Would you say that the rules relating to academic activities are properly enforced? YES/NO

20. When students break rules relating to examinations and other academic activities, are they ever handed over to the police for prosecution? YES/NO

21. Do you think the existing rules are adequate to ensure good conduct on the part of students? YES/NO

22. Do students participate in the governance of this institution? YES/NO

23. In what ways do they participate? --- -- -- -- -- --

24. Who in your opinion drives (causes) academic corruption? [Academic corruption refers to unlawful and immoral activities that affect the academic standing of students.] -- -- --

25. Who in your opinion is to blame for non-academic corruption? [Non-academic corruption refers to unlawful and immoral practices that affect the social standing of students on campus.]

----

26. Can you please identify any forms of non-academic corruption that exist in

your institution? ---

THANK YOU FOR YOUR TIME AND EFFORT.

PLEASE MAKE SURE THAT YOU HAVE NOT SKIPPED ANY ITEM.

Appendix 4: Interview Schedule for staff

STAFF INTERVIEW SCHEDULE

1. If educational corruption is defined as conduct in the performance of educational duties [such as teaching, learning, and administration] which betrays the values that form the moral basis for the educational process, and harms or 'tend to harm, in a significant way, either the educational institution, its constituents, or its beneficiaries',

   - Which conduct of students will you describe as corrupt? -------------------------

     ----

   - Are there conducts and practices of staff that you would describe as corrupt? YES/NO.   [IF YES, PLEASE LIST]---

     ----

     ----

3. Are you aware of the existence in your institution of any set of rules students are expected to abide by? YES/NO

4. From your interaction with students, do you think they study such rules? YES/NO

5. How prevalent is examination malpractice in your institution? -----------------------

6. Would you say that examination malpractices are pervasive in your institution? YES/NO

7. Are there different sets of rules for different areas of student activities, for example, accommodation and examinations? YES/NO

8. Are the rules generally obeyed by students? YES/NO

9. Is there any code of conduct for staff? YES/NO

10. In your opinion, do staffs generally abide by the code of conduct? YES/NO

11. What disciplinary mechanisms are there in your institution? -------------------------

     ----

     ----

12. Who in your opinion drives academic corruption? [Academic corruption includes bribing lecturers to pass, sale of hand-outs by lecturers, alteration of scores by staff, leaking of examination questions, copying by students, examination malpractices, and other practices that affect the academic standing of students].

----

13. If institutional culture is defined as the totality of the set of beliefs, values, attitudes, and practices which regularly inform and make meaning of conduct in an organization, how would you describe the culture of your institution vis-à-vis corruption?

----

14. Why do you think students participate in corrupt practices? --------------------------
----
----

15. Could you please mention any such practices you are familiar with? -----------------
----
----

16. In relationship with administrative staff and lecturers, where would a student more likely encounter corruption? --

17. Are there mechanisms to avail students of redress if they suffer any form of abuse? YES/NO

18. Are there adequate library facilities in your institution? YES/NO

19. Are your classrooms adequately equipped? YES/NO

20. How are students seated during examinations? ---

----

21. Would you say that the rules regarding residency in hostels are enforced? YES/NO. Please explain your position --
----
----

22. Would you say that the rules relating to academic activities are properly enforced? YES/NO

23. When students break rules relating to examinations and other academic activities, are they ever handed over to the police for prosecution? YES/NO

24. Do you think the existing rules are adequate to ensure good conduct on the part of students?

25. Are students involved in any way with the running of your institution?

26. Who in your opinion is to blame for non-academic corruption? [Non-academic corruption includes sale of bed-space, collecting bribe to allocate hostels, renting out property of the institution, issuing of permits and licences to businesses that want to operate on campus, embezzlement, etc].

27. What other forms of non-academic corruption can you identify in your institution?-- -- -- ---

28. Between lecturers and students who will you say is responsible for educational corruption? -- ------------------------------------

29. What punishment do you think should be given to staff found guilty of corruption? -- --

30. Please complete the following table?

Academic	Non-academic	Rank	Dept /Unit	Gender (sex)	Years in present post	Length of service in years

Appendix 5: Questionnaire for Focus Group Discussion

UNIVERSITY OF KWAZULU-NATAL,
SCHOOL OF POLITICS
PIETERMARITZBURG

Schedule of Questions for Focus Group Discussion on Corruption in Higher Education in Nigeria

1. What does corruption mean to you?
2. Would you say there is corruption in this institution? Does corruption exists here?
3. Are there any conducts by students you will describe as corrupt?
4. Do you think it is proper for one to get around the rules just because <u>he</u> or <u>she</u> can?
5. Do you think it is possible for somebody to bypass the provisions of the law governing behavior here?
6. Is it proper for somebody to try to escape the law?
7. What are the moral values, the moral values that form the foundation of this institution?
8. Would you say there are factions in this school?
9. Would you regard the sale of bed space as corruption? Why do you describe it as corruption?
10. Why do you think students participate in corrupt practices?
11. Are there conducts by staff that you will describe as corrupt?
12. Some students are of the opinion that so long as the student does not break any express rule and regulations, he or she can do whatever he likes. What do you say of such a opinion?
13. Do we have a unit of anti-corruption and transparency unit here?
14. How effective are they (that is, the anticorruption and transparency units)?