

INTEGRITY AND CONFLICT RESOLUTION IN NIGERIA: AN ANALYSIS OF TRADE DISPUTES BETWEEN THE FEDERAL GOVERNMENT OF NIGERIA AND THE ACADEMIC STAFF UNION OF UNIVERSITIES, ASUU

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Abstract

In so far as man as a being must relate with other human beings on earth, there is bound to be conflict. This is because of man's inherent tendency to guard his interest at all cost. When one man's interest clashes with that of his fellow man, conflict ensues. However, for life to continue meaningfully in the face of conflicts of all strands in man's relationship with one another there is bound to be conflict resolution and reconciliation. But for such resolution and reconciliation to be effective, enduring and sustainable, there is need for integrity on the part of the feuding parties, that is, the quality of being honest and having the strong moral principles to respect agreements. Using the historical analytical method, this paper analyzes the contending issues in ASUU-Federal Government of Nigeria trade disputes, especially the factors that led to the prolonged industrial action embarked upon by the Academic Staff Union of Universities, ASUU which paralyzed academic activities in Nigerian universities for a whole five months in 2013. The paper observes that lack of compliance with the agreements signed by the Federal Government of Nigeria and the Academic Staff of Universities, ASUU led to the 2013 ASUU strike. The paper therefore recommends demonstration of integrity on the part of feuding parties to any conflict as a means to the resolution of the conflict.

Keywords: Academic Staff Union of Universities, Federal Government of Nigeria, Conflict, Conflict Resolution, Integrity

INTRODUCTION

It is no longer news that the Academic Staff Union of Universities, ASUU and the Federal Government of Nigeria, FGN, are always engaged in

intractable industrial impasse over what ASUU considers generally as its employer's (FGN) inability to provide the funding requirements for the revitalization of Nigeria's ailing public universities. Other issues of particular interest to ASUU include, poor wages, deplorable conditions of services, university autonomy, academic freedom, etc. ASUU considers the failure of government to meet these requirements as the result of government's insensitivity to, and lack of political will to provide the priority needs of the education sector in general and university education in particular. For the government, ASUU makes unrealistic and unjustifiable demands in utter disregard to the needs of other sectors and unions.

However, while conflicts and disagreements cannot be completely ruled out of any human relationship, resolution of conflicts is inevitable for the progress of all parties to the conflict. The attendant huge costs of these strikes on Nigeria's university education system cannot be quantified. In fact, experience proves that the cost apparently outweighs the benefits. The multiplier effect is demonstrated in the saying that "where two elephants fight, the grasses suffer". Thus, the students, parents, and society end up paying the most by extra years in school and lack of full capacity and complete formation for the students translated to extra costs for parents and production of half-baked graduates to society.

Whilst disputes must arise between the employer and the employee, there must be settlement in the interest of both parties. For settlement of disputes to be successful in any human relationship, there must be good faith, trust, confidence and mutual understanding among the parties to the dispute. These are ingredients which sustain all negotiations and dialogues in situations of dispute. A partnership that works is that whose terms of association are faithfully observed and this can only be achieved by maintaining some measures of integrity. Thus, at any level of relationship and in any context of it, integrity is the key to maintaining harmony and stability. The aptness of this element of integrity is amply illumined in employer/employee relationship where both parties, despite the reality of conflicts of all strands must cooperate with utmost good faith in order to achieve organizational goals. In other words, failure on either side to retain mutual confidence goes to the very root to undermine the purpose of the relationship.

Indeed, this study was motivated by the many industrial disputes between the Federal Government of Nigeria and the ASUU, but more, by the 2013 ASUU strike which paralyzed academic activities in Nigerian public universities for 6 months. As a matter of fact, while there are plethora of reasons for the unhealthy industrial relations between the FGN and ASUU, there is need to explore the absence of integrity on the part of the FGN in

maintaining the moral rule of conduct of implementing agreements jointly entered into by both parties, Akume and Abdullahi (2013:207).

CONCEPTUAL FOUNDATION

Conceptualizing Conflict

A consensus on the meaning of conflict may be untenable, going by the disagreement among scholars on what constitute its true meaning, nature, causes and dimensions. However, within this context, conflict is rather viewed as a social phenomenon which occurs when pluralistic interests compete for ascendancy. The term “conflict” is used to describe a range of human activities including disagreements leading to hostilities between people, organizations or even nations. The Longman Dictionary of Contemporary English (3rd edition) defines conflict as “a state of disagreement or argument between people, groups, countries, etc”. Batstone (1979: 34) holds the view that conflict refers to an opposition of interest or perspective and generally involves corresponding forms of action. For this study, the definition of conflict by Coser (1967) cited in Moore (1996:16) as a “struggle between two or more people over values, competition for status, power or resources” is more broad and apt and is adopted as our working definition.

As far as the human society is concerned, conflict is all over the place at all times. Thus, Weeks, (1992: ix) sees it as a natural part of our daily lives. In effect, it cuts across different settings and contexts, including work environment. As Odoziobodo (2014: 1) observes, “at the individual, group, community and national levels, the indices abound to establish the veracity of the assertion that humanness is synonymous with conflict”.

Nature and Dimensions of Conflict

Broadly, there are three perspectives on the nature of conflict, viz: Traditional, behavioural and interactionist views.

According to the traditional view, conflict is evil and should be stemmed and eliminated for the stability and viability of any human community. This represents the earliest approach to conflict which was largely characterized by efforts geared at enthroning a conflict-free society. As a result, energies are channeled towards permanently quelling every conflictual tendency, using every possible means, and often by use of force or threat. For instance, any act of opposition or confrontation by the worker is viewed as disruptive to the productive process. Thus, the evolution of unionism can be traced to this perspective of conflict.

The inherent inadequacies of the traditional perspective of conflict, such as conservatism and change resistance which should ordinarily make for a dynamic social system, prompted a behavioural revolution. The

behavioural understanding of conflict derives from application of scientific tools to conflict studies which revealed the link between conflict and social change. In other words, conflict was no longer seen from a negative and destructive perspective but rather from a neutral outlook, having the potential to equally bring about positive change and transformation. Here, the position is that conflict is natural and inevitable and may have either positive or a negative effect, depending on how it is handled. This was the dominant view on conflict until 1970s.

The Interactionist or the post-behavioural perspective of conflict identified conflict as a *conditio sine qua non* for growth and development. Verma (1998:1), drew an enlightened contrast that while the behavioural model merely accepts conflict, the post behavioural school of thought encourages conflict based on the belief that a harmonious, peaceful, tranquil, too-cooperative organization is likely to become static, apathetic, stagnant, and unable to respond to change and innovation. Thus, a manageable degree of conflict is needed to keep the system self-critical, viable, creative, and innovative.

The above orientations towards conflict coalesced into two broad dimensions of conflict: it may be functional (constructive) or dysfunctional (destructive). The later situation occurs when conflict dissipates man's energy on unimportant things, destroys the productive value system, undermines fruitful cooperation and de-motivates the people. On the other hand, conflict is functional (constructive), when it throws up important issues that need to be addressed, provides opportunity for reassessment and learning, enhances enduring harmony as the people tend to understand and respect each other's differences. It also enhances healthy competition and increase in the productive capacity of organizations.

Trade Dispute

Trade dispute as a form of conflict refers to the clash of interest between the employer and the employee. According to Aturu (2005: 2), trade dispute refers to “any dispute between employers and workers or between workers and workers, which is connected with the employment or non-employment, or the terms of employment and physical conditions of work of any person”. Drawing inference from the above conception, Anyim et al (2012: 3), identify the key elements of a trade dispute to entail that: “the dispute must be between employers and workers or workers and workers; the dispute must be connected with the employment or non-employment of any person; or the dispute must be connected with the terms of employment or physical conditions of work of any person”. It is a break down in labour relations due to absence of consensus on matters of interest to both the worker and the employer. This could be on the basis of agitation for better

welfare or improved work conditions by the worker or demand for greater productivity by the employer.

Hyman (1975: 67), identifies industrialization as the root of labour conflict, hence he views work relations as inevitable sources of conflict. In his words, “labour dispute is an unavoidable evil in any modern organization, particularly in large ones”. It could lead to a total work stoppage by labour in which case we refer to it as strike or it could lead to a lock up of the business premises by a management practice commonly known as lock-out, Anyim et al (2012).

Strike is a concerted withholding of labour supply in order to bring economic pressure to bear upon the employer, to cause him to grant employees’ and/or union’s demands, Beach (1975: 3). It is usually a means of extracting the workers’ desires from the employers by downing of tools. However, strike may not be the only form of manifestation of trade dispute. Though strike is about the most pronounced demonstration of industrial disharmony, it is not the only conflictual behaviour in the work situation. Ootobo (1987: 5) identifies other forms of industrial conflict most of which may be latent and covert. These include: “pilferage; lateness to work, absenteeism, sabotage, poor quality of work, sick leave abuse, restriction of output, loitering from one floor or office to the other, trading within the office, peddling rumour, staff leaving office before closing hour, inciting staff against management policies, over- time ban, etc.”

Whatever shape trade disputes take, its value depends on the handling style as a well managed trade dispute is a catalyst for reform. Thus, the greatest challenge is how best to effectively manage conflict in order to minimize cost and increase the accruable benefits to advance the course of an organization.

Conflict Resolution

This is the process of assuaging or removing conflict within a social group. Conflict Resolution refers to “an outcome in which the issues in an existing conflict are satisfactorily dealt with through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new, positive relationship between parties that were previously hostile adversaries...”, Mitchel and Banks (1996, Cit. in Best, 2012:94).

The mechanisms for resolving conflict are variously subsumed into communication, collaboration, negotiation, conciliation, mediation, arbitration, adjudication and crisis management in extreme situations. However, mechanisms of conflict management may take various moulds as adopted and moderated by different formations to meet peculiar demands. In

any case, the Trade Dispute Act 1976 (as amended) provides an insight into some of the dispute resolution mechanisms:

- a. Internal Settlement Mechanism:** This includes all internal methods of addressing grievances in an organisation between the employers and the employees. It could be seen in the process of complaints handling, discontent discernment and address, reward and punishment, etc.
- b. Collective Bargaining:** This is one of the major ways of resolving trade disputes in the society today. It involves a negotiated position which binds the parties to a bond-like set of resolutions referred to as collective agreement. It is a process in which parties in industrial relations make proposals and demands to the other; discussing, criticizing, explaining, exploring the meaning and the effects of the proposals and seeking to secure their acceptance, Dahida & Adekeye (2013:14). It is one of the initial conflict resolution mechanisms which usually occur under an informal atmosphere and mutual commitment by the parties to define their positions and agree on a compromise. Here, negotiation is the key, and give-and-take spirit largely characterise the process. Akpala (1982:1) maintains that the essence of collective bargaining is to reach agreements through the process of negotiation between workers and employers with regard to their contract of employment for the best possible working conditions and terms of employment.
- c. Mediation:** This is the assistance by a third party where the parties to a conflict admit that they have a problem which they are both committed to solving, but in which the mediator manages a negotiation process, but does not impose a solution on the parties., Best (2012:130). Here, the parties voluntarily submit to the intervention of the mediator who provides a neutral platform for open dialogue between the parties and encourage them to come to a resolution.
- d. Conciliation:** This is closely related to mediation as a third party approach, however, the conciliator plays the role of a facilitator who meets the parties separately and nurtures the desire for a resolution in both parties. As noted by Ofoele (1986:2), the practice of conciliation in industrial disputes has evolved mainly in connection with disputes arising from the failure of collective bargaining. Thus, it is viewed as an extension of collective bargaining with a third party's assistance. Here, representatives of the parties in collective bargaining again represent the respective parties at the conciliation proceedings.
- e. Arbitration:** This is another but higher level of third party involvement in conflict resolution spectrum, usually explored when

bargaining, conciliation and mediation processes fail to yield resolution of conflict. Here, the parties submit to the jurisdiction of an independent arbitrator or a panel of arbitrators which hears and takes evidence from all parties and renders a decision usually called “award”. The award is considered binding on all parties. Section 9 of the Trade Dispute Act 1976, TDA (as amended) provides reference of a deadlocked dispute to the Industrial Arbitration Panel (IAP) which comprises a chairman, his deputy and 10 other members, four of whom are nominated equally by employers and labour. Within seven days of the receipt of a report from the conciliation, the minister must refer unresolved disputes to the IAP, which has 21 days, unless an extension is granted to give its award as provided in section 13 of the TDA. At the arbitration hearing, the parties are at liberty to be represented by counsel, although this is not mandatory.

- f. Adjudication:** This involves the use of courts and litigation process to settle trade disputes. By virtue of the Third Alteration to the 1999 Constitution of the Federal Republic of Nigeria, the National Industrial Court was established in section 254A as a court of superior records with jurisdiction to hear and determine employment, labour and industrial disputes (s.254C). The court gives judgment which is legally binding on the parties and enforceable by the established public agencies with respect to disagreements brought before it.

In the context of this paper, the focus is on the processes of dialogue and negotiation which results in agreements and exchange of commitments by the parties to perform their own side of the bargain. In particular, collective bargaining and joint consultation have been the popular strategy for conflict resolution between the Federal Government of Nigeria and ASUU. These processes ideally, involve open communication which results in give and take situations and win-win outcome for both parties. It is usually cheaper and less cumbersome if both parties uphold good faith and a determination to act with reasonable degree of integrity.

The Idea of Integrity: In the 3rd Edition of Longman Dictionary of Contemporary English (LDCE), integrity is defined as “the quality of being honest and of always having high moral principles”. It is the character of being true and sincere to oneself and to others. It connotes good faith and reliability in one’s action and words. Integrity could also imply constancy and predictability based on strict ethical concerns. It is that ethical pedestal where words and actions attain inseparable unity. Thus a man of integrity is he whose word is his bond, who makes a promise and keeps it, who enters into agreement and performs his part in the spirit of *pacta sunt servanda* (sanctity of agreement).

HISTORICAL BACKGROUND OF FEDERAL GOVERNMENT OF NIGERIA – ASUU TRADE DISPUTES

For more than three decades now, the Academic Staff Union of Universities (ASUU) and the Federal government of Nigeria (FGN) have been engaged in prolonged industrial conflicts over several issues of importance to the union, including poor wages and conditions of service of academic staff members in government owned universities across the country, the problem of underfunding and infrastructural neglect in Nigerian universities as well as the lack of autonomy and academic freedom which union members claim to be limiting the quality of teaching, research, scholarship and innovation, Odiagbe (2012: 16).

Recounting the history of ASUU/FGN industrial disputes, Aidelunuoghene (2014:8), observes that ASUU, a successor to the Nigerian Association of University Teachers, formed in 1965 and covering academic staff in the Universities ... was formed in 1978 at the beginning of decline in the oil boom, when the country faced the consequences of failure of its rulers to use the oil wealth to generate production and a welfare system. He notes that at that time, military dictatorship had deeply eroded the basic freedoms in the society; academic freedom and university autonomy were casualties of this military dictatorship and the funding of education, and so of universities grew poorer and as a result, ASUU's orientation became radical and more concerned with broad national issues, and ASUU stood firmly against the oppressive, undemocratic policies of the governments of the country. The assault on academic freedom was the subject of resistance by ASUU.

Since its establishment in the 1978, ASUU had embarked on several nation-wide strikes. In late 1978, ASUU embarked on a nation-wide strike to, among other things, push for academic freedom and university autonomy. Between 1980 and 1981, there was yet another strike action by ASUU to further draw the attention of government to the problems of poor funding, infrastructural decay, brain drain and other challenges to the public universities in the country. This culminated in the 1983 negotiation and agreement on the Elongated University Salary Structure (EUSS). The non-implementation of that pact was the immediate cause of the 1987 strike action by ASUU. In response, the government sacked the ASUU President, Late Prof. Festus Iyayi and subsequently proscribed the union.

The union remained banned from operation till 1998 when the then military administration of Abdusalami Abubakar yielded to a truce and reinstated the union members sacked under Abacha regime. Accordingly, another agreement which was merely an interim measure used to buy time was entered into by both parties on May 25th 1999. The result of the negotiation was a slight increase in the university workers' salaries, with the

government making a promise to continue negotiations at a later time. At that time, the government adopted a rather neo-liberal posture towards the education system through its policy of privatization. Thus, during the 2000 round of negotiations, it was agreed that from 2001, the Federal and State Governments would allocate at least 26 per cent of their annual budgets to education, with an upward review from 2003, and half of this would go to higher education, Odiagbe (2012:65). This development seemed to douse the tension to a large extent. But this was not to last as government's promises in the agreement did not reflect either in the budget or in any other contingency plan. The result was another strike action.

The government in another agreement with ASUU in 2001 made a commitment to pay 22 per cent salary increase; and to guarantee university autonomy. The default by government on this solemn promise and the University of Ilorin 49 saga, coupled with the proposed removal of rights to collective bargaining in return for the IMF loan, led to various strike actions by ASUU such that in 2002, there was strike for two weeks; 2003 six months which ended in 2004. In 2005, there was another strike for 3 days and for one week in 2006, just as there were in 2007 for three months and for one week in 2008. (See Table 1 below).

In June 2009, ASUU embarked on a nationwide strike over a disagreement with the Federal Government on an agreement it reached with the union about two years earlier. After three months of strike, in October 2009, ASUU signed an MoU, Memorandum of Understanding with the government and called off the strike. Meanwhile, the 2009 agreement was a product of negotiation with successive administrations beginning from IBB's in 1992 through Abdulsalami's regime in 1999 and Obasanjo's in 1999/2001, until it was signed in 2009 under the late Umaru Musa Yar'Adua's administration. In the signed agreement, such issues as, adequate budgetary provision for education, improved condition of service that would check the problem of brain drain, ensuring university autonomy and guaranteeing academic freedom were covered.

The implementation of this pact has over the years, pitched ASUU against the government. However, the two outstanding issues defining the 2013 ASUU strike include the release of funds accruing up to N500 billion to improve facilities in 61 public universities (27 Federal and 34 States) and non payment of earned allowances put at N92 billion.

As a palliative measure to this saga, there was another agreement in January 2013 between the Federal Government and ASUU, that a N100 billion would be injected into university system to upgrade facilities. A Memorandum of Understanding was signed to this effect and by April of that year, a sum of money was supposed to have been paid. In the same MoU, there was an agreement that in 2013, N400 billion would be paid, N400

billion in 2014 and another N400 billion in 2015, to make up the N1.3 trillion to upgrade facilities in our universities.

On July 2, 2013, ASUU called for indefinite strike, yet to protest the non-implementation of the agreement reached with the Federal Government in 2009 as contained in the Memorandum of Understanding signed by both parties on 24th January, 2012 and the recommendations in the Report of Government's Committee on Needs Assessment on Nigerian (Public) Universities (CNANU) of July, 2012. In the 2009 Agreement, the funding requirement provides that all Federal Universities would require a total sum of N1.5 trillion spread over three years (2009-2011) to address the rot and decay in the universities. At the end of the three year period, the government had not budged in making good its promises. In the follow-up Memorandum of Understanding, (MoU) the government also undertook to inject an initial revitalization fund of N100 billion to be scaled up to N400 billion per annum for a three-year period (2013-2015). Consequently, a Needs Assessment Committee was set up by the National Economic Council which concluded its task and came up with a report of N800 billion as the estimated amount needed to revitalize Nigerian public universities within the period of two years; amounting to an annual intervention of N400 billion; projected at N1.5 trillion by 2015.

However, in what seemed like self-doubt, the government turned down the report of the earlier constituted Implementation Committee and reconstituted the Gabriel Suswan-led committee which came up with a "no-fund refrain" with which the government readjusted to N100 billion as the amount payable by the government. By that stroke, the government went ahead to dole out N30 billion as the amount handy at the moment. Besides, contrary to the spirit of the MoU and the TETFund Act, the funds were to be released, not directly to the universities, but through the NUC. In another technical maneuver, the government resorted to the use of the TETFund to construct the newly established 12 universities as against the existing ones for which the funds were originally meant. These developments irked ASUU and indeed most Nigerians who marveled at the level of inconstancy displayed by the government. These among other things necessitated the 2013 strike action which prompted this study.

Table 1: Showing ASUU Strikes and duration since 1999.

YEAR	PERIOD OF STRIKE
1999	5 months strike
2001	3 months strike
2002	2 weeks strike
2003/2004	6 months strike
2005	3 days strike
2006	3 days strike
2007	3 months strike
2008	1 week strike
2009	4 months strike
2010	Over 5 months strike
2011/2012	3 months strike
2013	More than 4 months

Source: www.statisense.info/ASUUStrike

In any case, it is worth noting that for the major part of the industrial conflicts, ASUU had consistently pointed at the inability of their employer, the Federal Government of Nigeria, FGN, to live up to the various agreements reached with the union over a variety of issues bordering on their work conditions and that of the entire education sector in general.

CURRENT STATE OF UNIVERSITY EDUCATION IN NIGERIA: NEEDS ASSESSMENT COMMITTEE

In order to understand the reasons for the conflicts between the Academic Staff Union of Universities, ASUU and the Federal Government of Nigeria with regard to improvement of university education, it is germane to assess the current state of Nigerian universities. The Federal Government of Nigeria on its own set up what it called the NEEDSASSESSMENT COMMITTEE to assess the needs of the universities.

Commenting on the findings of the Committee, Aidelunuoghene (2014:12) documents that the Committee went round all the universities and what it found was shocking. It found that the students-teachers ratio was 1-400 on the average instead of being 1 – 40. It found out that the classrooms were grossly inadequate and could accommodate only about 30 percent of the number of students that needed to enter those classrooms; they went round and found students standing in their lecture theatres with other students writing on their backs; they found lectures going on under trees in some of the universities; they went to laboratories where they found people using kerosene stoves instead of Bunsen burners to conduct experiments; they found specimens being kept in pure water bottles instead of the appropriate places where such specimen should be kept. They found chemistry laboratories without water, they found people doing examinations

called theory of practical and not the practical and you will imagine what the practical ought to be.

The Committee on Needs Assessment of Nigerian Public Universities also discovered that there are 37,504 academic in the country's public universities. Out of these, 23,030 or 61 per cent are in federal universities while, 14,474 or 38.6 percent teach in state owned universities. Total male academic are 31,128 or 83 percent. Only about 16,127 (43%) of Nigerian universities teaching staffs have doctorate degree, instead of 75 percent. Only about 16,502 or 44.0 per cent are within the bracket of senior lecturer and professors. Only 7 universities that is, IMSU, UNICAL, OSUST, NOUN, UNIPOINT, UNILORIN and UNIUYO have up to 60% of their teaching staffs with PhD qualification. Kebbi State University has two professors and five lecturers with Ph.D. 74 percent of lecturers in the Plateau State University (BOKKO) are visiting.

When this report was eventually presented to President Goodluck Jonathan at the Federal Executive Council, we understand the President said that he was embarrassed and did not know that things were all that bad, Aidelunuoghene (2014:12) .

It is worthy to note that by the time ASUU embarked on strike in 2013, no intervention had taken place and the academics were tired as Government kept promising of what they wanted to do on weekly, monthly basis. Such promises were nothing but empty promises.

The poor funding of universities in Nigeria as shown by the above state of affairs has negative impact on Nigerian university graduates. For instance, Aidelunuoghene (2014:12) observes that students who apply for Post Graduate Programmes – Master's Degrees, Ph.Ds or other Post Graduate programmes outside Nigeria are turned down because they say their degrees are suspect. Multinational companies like Shell spend millions of dollars in the retraining of graduates who made first class before they joined them as staff. The facilities in our Universities are bad and outdated. We still use chalk boards even now that people are using multi-media facilities, mark boards where you can download information. No country develops without a sound educational system and the foundation is not the primary school. The foundation is at the university level, because it is the university that trains other levels, he notes.

CONTENDING ISSUES IN ASUU/ FGN TRADE DISPUTES

As Akume and Abdulahi (2013:200) note, Nigeria in recent years, has witnessed a plethora of trade disputes rather than peaceful industrial relations. The pattern of industrial relations has been conflictual with disruptive consequences and significant work-hour losses due to work stoppages. In the literature, the cause of industrial relations conflict in

Nigeria is due in part to the recalcitrant attitude of the management to create the right arena for open discussion with aggrieved parties as early as notice of labour discontent have been served the management or government. Equally too, the sources of trade dispute have been attributed to government poor policy choices, while some see it as a consequence of government failure to respond to, and respect existing agreements already signed with labour unions or as Oghenekaro (2013) aptly noted the government's penchant for renegeing on agreements. To be specific, this reason reclines behind the present downing of tools by ASUP and ASUU (Gani 2013; Issa 2013). To others; it is the enactment of arbitrary laws aimed at breaking the solidarity and power of trade unions as it is the case of the trade union act of 2004. These factors have combined to generate avoidable industrial conflicts, Akume and Abdulahi (2013: 200).

Specifically, in relation to trade disputes between ASUU and the Federal Government of Nigeria, demands by ASUU for increased funding for the university system as well as university autonomy and academic freedom have always brought about trade disputes between the two parties; but the most important of these issues is government's refusal to honour agreements reached with ASUU most of the times. Government has always explained that it does not have the funds even when it accuses ASUU of being unpatriotic and unrealistic in its demands and of spending a significant portion of its existence in highly politicized conflicts rather than channeling efforts towards productive learning, teaching and research. Government also accuses ASUU of receiving more time of government in settlements of trade disputes than any other union in the country. Government argues that educational funding cannot be considered any more important than healthcare, agriculture, defense, transportation, power, housing and other basic amenities. For government, if that is the case, any solution to the educational crises must be negotiated and based on dialogue.

The Federal Government of Nigeria has also raised concerns regarding the provision and management of funds allocated to universities for infrastructural development. Government has expressed concerns regarding lack of appropriate culture of maintenance by staff and students for facilities provided in the various universities. The government has, thus, accused the university authorities of poor administration and inadequate monitoring of existing facilities in the universities. Government recommends that universities should seek alternative sources of finance in order not to lean too much on government budget allocations, Odigie (2012:150).

But the questions are: Why does the Nigerian government renege on agreements entered into with its workers? Could it be as a result of the structure of the Nigerian state, the policy process and discontinuities in policy implementation and general lack of integrity in governance? Does

ASUU make unrealistic demands? Are Nigerian Universities well funded? Is it true that Government does not have the funds? Why does ASUU go on strike always? What is the solution?

On why the FGN fails to honour agreements it entered into with its workers, a lot of reasons can be advanced, namely, the structure of the Nigerian state; Nigeria is described as a “colonial contraption” and its diversity is a debilitating factor to its progress and development. Its federal structure can also be adduced as a problem but the main reason why the Nigerian government fails to honour agreements with the university teachers is corruption. Nigeria has enough money to use in honouring the agreement it entered into with ASUU but the ruling elite out of fear that there will not be enough for their private pockets after funding the universities renege on the agreement.

Corruption according to Kolawole (2011) is a major obstacle to our development. Corruption has created so many fake billionaires in Nigeria; people who do nothing other than ruin the economy and impoverish the people. Money to put public schools in order and improve the quality of instruction often ends up in private pockets, so you find civil servants whose monthly take-home is less than N200, 000, sending their children to private or foreign schools where millions of naira is paid per term. Billions are budgeted for hospitals but the ruling elite would choose to go to Germany to treat headache or boil. You then find out that the money intended to put the hospitals in order is helping to fund those foreign medical trips. There is no doubt whatsoever that corruption is a major impediment to our progress.

However, much as corruption is part of the reason for government’s inability to honour agreements with ASUU, the major reason can be located within the leadership problem of Nigeria. Chinua Achebe (1985:1) avers that the trouble with Nigeria is simply and squarely a failure of leadership. According to him, “there is nothing basically wrong with the Nigerian land or climate or air or anything else. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility, to the challenge of personal examples which are the hallmark of true leadership”. Government fails to honour agreement with ASUU because Nigeria has not produced the right leaders who have the will power to serve Nigeria and solve her many problems including that of the education sector. Again, Nigeria is yet to get the right leaders with the will power to initiate a policy and see to its full implementation. Nigeria is yet to get the right leaders with the moral integrity to say yes and mean yes and thus, honour agreements.

On whether ASUU always makes unrealistic demands, ASUU alleges that the demands of its members are genuine and made in good faith and in the interest of the educational system. They claim that they want the best for Nigerian University education system. They are demanding for salaries that

can compare with those of their colleagues in other countries of the world; at least, with other African countries so as to stem the tide of brain drain; otherwise, all the best brains will run away to other countries and the effect will be that there will be no good hands to teach in Nigerian universities. The Union claims it does not want a situation where the nation's best lecturers and professors will migrate to other countries as a result of inadequate salaries and conditions of service.

On making unrealistic demands, the ASUU Chairman Awuzie (2009) in ASUU Vs FGN in Nigeria (No work; No pay) said; "The problem with the Federal Government is not about ASUU demands, but to destroy the educational system because they know that it is a vehicle for social mobility. After all, they are sending their children to study abroad. The present salary of a Professor in Nigerian University is N3, 859,070.60 per annum while a Local Government Chairman earns N13. 9 Million, a Permanent Secretary, an Executive Secretary, Chief Executive of Parastatal and Vice Chancellors earn about N22 Million per year. A Federal High Court Judge earns N35, 932,346.30 and a Senator earns N36, 677,840.00, per annum. We want Nigerians to judge for themselves why the Federal Government cannot meet our demands", he said.

From what can be seen above, it is obvious that in asking government to increase the salaries of university teachers, ASUU is not making any unrealistic and unreasonable demands on the Federal Government.

On the funding of Nigerian Universities, Prof. Iyayi (2013) gave a succinct account of underfunding of Nigerian Universities thus: "If you come to the University of Benin for example, you will find that the classrooms are in a horrible, dilapidated state; the classrooms are overcrowded, and the laboratories are not what they should be. Students are doing theories of practical in many universities; in some, they use kerosene stoves instead of Bunsen burners to conduct research; in many universities, they have theories of practical. The students in the hostels live as if they are in piggeries, as if they are in poultries. You need to see them in a phenomenon where they call short put, a student excretes into a black polythene bag and throw it through the window into the field because there are no toilet facilities, no water, no electricity and yet, we claim we have universities in Nigeria", he said.

It is worth noting that what is said of the University of Benin can also be said of many other universities in Nigeria. It is a truism that there is underfunding of the university system in Nigeria. Take for instance, in the 2013 fiscal year, Nigeria's annual budget profile stood at 4.9 trillion out of which N426.53 billion was allocated to the education sector representing 8.7% of our annual budget, with the university subsector getting the sum of N55.4 billion. The World Bank in its report of global education in 2012 stated that allocation to education sectors in some countries improved

tremendously with Ghana =31%, Cote d'Ivoire = 30.0%, Uganda = 27.0%, South Africa = 25.8%, Swaziland = 24.6%, Kenya = 23.0%, Botswana = 19.0%, Venezuela = 23.0%, Mexico = 24.0%, United Arab Emirate (UAE) = 22.5%, Iran = 17.1%, USA = 17.0%, Norway = 16.2% and India = 12.7%. Within the same period, Nigeria's annual budget allocation relative to the education sector stood at 8.4%. This is appalling. It is an indication of gross underfunding when compared to other countries of the world.

It is equally disheartening that Nigeria could spend only 0.76% of its GDP on education while other less endowed countries invest more of their GDP in education (Angola = 4.9%, Malawi = 5.4%, Tanzania 3.4%). This amount does not only fall below the UNESCO 26% minimum bench mark for allocation to the education sector by developing countries in their annual budgets so as to meet the United Nations' MDGs, but has also far reaching negative implication and effects on the ability of university administrators to strategically position themselves to perform their traditional roles of making the university a place of teaching, learning, researching and community engagement, hence, threaten the revitalization of our national strategic vision of making Nigeria among the top 20 leading economies in 2020.

It is unfortunate that this is the sorry state of funding which the education system is subjected to in Nigeria. It is not that Nigeria does not have the funds. We are far better than most of the other countries who spend more on education than we do. It is probably because of the perception of the Nigerian leaders on what should constitute the priority of government.

On why the government does not release funds to the university, Iyayi (2013) queries: "what explanation does government give to the people over unemployment, over poverty, over lack of electricity, over corruption, over the poor health statistics that we have, do they have any explanation? They have no explanation other than to say there is no money. Where do the funds generated from taxes and oil revenue go? They are applied to the wrong priority; that is why you find Nigerians are now buying private jets. Nigeria is the biggest destination now for aircraft manufacturing in the world. You can imagine where the monies go to; they are stolen by the ruling elites who have no interest in the destiny of this country".

Iyayi (2013) notes: "The President of the Senate as at 2009, had 1.6 billion as constituency allowance; the Speaker had 1.2 billion as constituency allowance. Where does that happen? The President has over 1 billion for his feeding for this year alone. Where does that happen in any part of the world? Obama buys the food he eats in his own house. We have a ruling class that has no sense of history", he says.

On why ASUU go on strike always, Iyayi (2013) answers that in going to strike, ASUU is saying, "let us have a proper university system that actually works". He noted that in the rating of universities, no Nigerian

university makes it among the 1000th in the world, but South Africa can produce a university in that rating, even Ghana is now mentioned, Botswana is mentioned but Nigeria cannot boast of a single university that is among the first 1000 university in the world. Nigerian academics are in the US, there are brilliant academics in Nigeria here who are just struggling, doing what they can under very difficult circumstances. It is impossible to continue under this current trend and then pretend that we have university when in fact, we do not have any; that is what the strike is all about”, he said.

The ASUU President, Issa Fagge (2013), says: “We have been blamed time without number for no fault of ours; that we are producing graduates that do not fit into the labour market. When you employ them they cannot deliver. It is not our fault! If you don’t have the facilities to train people you will just go there and manage. And that is what we are saying. We don’t want to continue managing! What we want is, provide us with the tools to carry out our work. And we will do it effectively”.

On the way forward, Iyayi (2013) says: “The government has to reorder its priorities, the government has to honour the agreement it has reached, and the government has to provide money for funding the university, for providing facilities; facilities for teaching in the classroom, hostel, and laboratory. The government has to provide funds for meeting those needs, and if it doesn’t do that, let the universities be shut down for the next ten years, so we can have a proper university that students and staff can be proud of because the students we have now are half baked. It is a disgrace and the ruling elite in Nigeria are a disgrace!”

From our analysis so far, it can be deduced that the government is responsible for most of the strike actions ASUU embark on and the problem of the Nigerian government border on leadership integrity. It does appear that the only thing which makes government listen to the demands of ASUU most of the times is a strike action and the Union has always cashed on this to achieve its aims. Granted, strikes bring about delays and breaks in the academic calendar thus prolonging the number of years a student ought to stay in the university and thereby incurring more costs on the parents, but it is important to get it right once and for all.

THE PLACE OF INTEGRITY IN FGN-ASUU TRADE DISPUTE RESOLUTIONS

The importance of application of integrity in the resolution of conflicts cannot be overemphasized. Wikipedia, the Free Encyclopedia describes integrity as the quality of being honest and having strong moral principles; moral uprightness. It is generally a personal choice to uphold oneself to constantly moral and ethical standards. The Free Dictionary

defines it as steadfast adherence to a strict moral or ethical code; the state of being unimpaired.

Indeed, integrity is that quality which compels a man to obey the dictates of his conscience, to do what he said he will do and to honour agreements. One of the major ways of resolving trade disputes in the modern world is the process of collective bargaining, a process in which parties to a conflict come to a negotiation table with a view to discussing and understanding each other's viewpoints after which an agreement is reached, documented and signed by each party. This is always done in the interest of peace. It is a give-and-take process. The essence of signed agreement is for it to be honoured and without integrity on the side of both parties to the conflict, any agreement signed amounts to complete balderdash.

While the workers of the earlier times grappled with the challenge of non-recognition of the right to negotiation, it appears that the greatest undoing to industrial harmony today is the absence of the will to walk the talk from the negotiation table. The fact however remains that breach of collective agreements constitutes a threat to management-union relationship as it has been generally recognized as the major cause of industrial crisis in the country. As Omisore (2013), bluntly puts it "Cordial relationship between management and union will be threatened at the expense of industrial peace if the former or latter breaches the collective agreement they reached at the end of collective bargaining (or round-table meeting)." There is no gain saying that the success of collective bargaining however depends on the willingness of each party to the dispute to accept and honour any agreement made either by them selves or on their behalf by their representatives.

From the scenario of ASUU-FG industrial conflicts as discussed in this paper, it is evident that what is missing is the moral content of integrity, particularly, on the side of government. From the 1992 agreement till the 2012 MoU, one thing is common: government has consistently shown integrity-deficit, a penchant for renegeing on signed agreements. This poor government fidelity profile can be gleaned from the shifty excuses advanced for its failure to honour the 2009 Agreement with the lecturers. First, the government through its spokesperson experimented with the incredulous excuse that its representatives at the negotiation were ignorant, then, the no-fund mantra. In fact, it can be seen that government does not have much reason to renege with agreements made with university teachers in Nigeria most of the times.

CONCLUSION

In conclusion, it is evident that conflict is inevitable in any human organization. However, what is crucial is the mechanism of its resolution.

Amidst the various mechanisms of conflict resolution and management, negotiation affords both parties a situation of openness and free expression. But that is just the beginning of the journey towards enduring industrial peace and harmony; this can only be achieved by being sincere, honest and resolute with the resolutions reached, that is, holding on to, and abiding by the terms of agreements. This is the panacea to the industrial imbroglio which has come to be the identity of the relationship between the Federal Government of Nigeria and the Academic Staff Union of Universities, ASUU.

Indeed, until integrity is embraced as a cardinal element of all negotiations between ASUU and the Federal Government of Nigeria, the crisis in the Nigerian university education system may prove intractable. It is therefore recommended that Nigerian leaders should be men of integrity, men who say yes and mean yes, and not men who say yes today and deny tomorrow that they said yes yesterday.

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