

ASUU DECLARES A TOTAL AND INDEFINITE STRIKE

Written by Dr M K Aliyu

Monday, 19 December 2011 06:04 - Last Updated Sunday, 11 March 2012 13:34

The National Executive Council, NEC, of the Academic Staff Union of Universities, ASUU, met from Tuesday 29th November to Thursday 1st December 2011 at the University of Port-Harcourt to review, among other things: the level of implementation of the 2009 ASUU/Government Agreement; the extent of compliance with the 2011 ASUU/FGN Memorandum of Understanding (MoU) on the implementation of the Agreement; Government's unilateral dissolution of Universities' Governing Councils; the on-going institutional accreditation and the state of the Nation, including the issues of alleged removal of fuel subsidy

THE TEXT OF A PRESS CONFERENCE BY THE ACADEMIC STAFF UNION OF UNIVERSITIES (ASUU), SUNDAY 4TH DECEMBER, 2011 AT THE UNIVERSITY OF PORT HARCOURT, PORT HARCOURT.

Gentlemen of the Press,

1. 1. INTRODUCTION

The National Executive Council, NEC, of the Academic Staff Union of Universities, ASUU, met from Tuesday 29th November to Thursday 1st December 2011 at the University of Port-Harcourt to review, among other things: the level of implementation of the 2009 ASUU/Government Agreement; the extent of compliance with the 2011 ASUU/FGN Memorandum of Understanding (MoU) on the implementation of the Agreement; Government's unilateral dissolution of Universities' Governing Councils; the on-going institutional accreditation and the state of the Nation, including the issues of alleged removal of fuel subsidy.

It is my privilege to address you today over these important issues that are very dear to our Union, to the University System, and to the good people of our potentially great country, Nigeria.

You may recall that on Monday 17th October, 2011, we addressed a National Press Conference over these issues at the end of an emergency NEC meeting of our Union at University of Abuja, Abuja, where we informed the nation that our Union had agreed to grant the request of government by giving it **additional two months** within which major issues of concern to our Union with regards to the *non-implementation of the 2009 Agreement*

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would be addressed. At that Conference, we also drew attention to the present sorry state of the University System in our country, the rot and decay that are eating deep into the very fabric of our Universities, the underfunding cancer that is fast eroding the quality of our graduates and threatening the very essence of University education in our country.

Gentlemen of the press, these problems are still receiving no attention from Government. Rather than attending to the serious problem of underfunding through genuine implementation of the ASUU/FGN Agreement of 2009, Government keeps on procrastinating and persisting in its deception and lies. Our experience, sadly, shows that this is a Government that cannot keep her words. This is a government that cannot fulfill any promise. This is a government that does not respect agreements. This is a government that has completely misplaced her priorities and lost direction.

1. 2. BACKGROUND TO FGN/ASUU DISPUTE

Recall that in 2001, the Federal Government of Nigeria (FGN) entered into an agreement with ASUU that is aimed at resuscitating the University System in Nigeria and saving the system from total collapse.

In that Agreement, it is provided that there shall be a renegotiation of the Agreement every three years in order to assess the impact of the intervention on the sector, review the implementation strategy, and to update the document to make it even more relevant towards achieving the original goal of revitalization of the University System. By this provision, the 2001 Agreement was due for review by 2004. However the renegotiation did not start until 2007 and was dragged up to 2009 before an Agreement was reached, five years late, due to government's dilly-dallying and reticence.

It took over 50 letters, series of warning strikes, a total and indefinite strike, over 200 meetings, and five years to achieve this (something we believe could have been accomplished in a couple of weeks). Again, over two years after the signing of the 2009 Agreement, the government is yet to work out the modalities and commence a sincere process of its implementation.

Permit me to highlight the major ingredients of the 2009 Agreement so that the general public is reminded of its objectives and imports as provided in the document.

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The objectives of the Agreement are:

- To arrest the rot and reverse the decay in the University System in order to reposition it for greater responsibilities in National Development;
- To reverse the brain-drain, not only by enhancing the remuneration of academic staff, but also by disengaging them from the encumbrances of a unified civil service wage structure;
- To restore Nigerian Universities through immediate, massive and sustained financial intervention; and
- To ensure genuine University autonomy and academic freedom.

After three years of negotiation the two teams (Government and ASUU), through the process of collective bargaining, agreed (reached a common stand) on all the issues on the agenda, viz.:

- Funding
- Review of laws that impinge on university autonomy
- A separate salary structure for academic staff in the universities.
- Earned allowances to entitled academic staff.
- Pension for university academics and compulsory retirement age

To meet the funding provisions, the Committee took serious cognizance of the widely acknowledge fact that:

1. The key to the survival of the country in the 21st Century lies in its ability to produce applied and theoretical knowledge in Science, Technology and the Humanities and;
2. The task of revitalizing and accelerating the development of the Nigerian University System to become internationally competitive can no longer be delayed, more so in the light of vision 20:2020.

Data were collected and analyzed using proven rational and scientific procedure. On the basis of this, and for a quick and effective remedy of the many deficiencies in the programmes and existing facilities, **it was agreed that** the sum of One trillion, five hundred and eighteen billion, three hundred and thirty one million, five hundred and forty five thousand three hundred and four naira (#1,518,331,545,304:00) only, would be required within the next three years by all

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Federal Universities jointly for both recurrent and capital grants as distributed below:

Yearly distribution of funds requirements in Federal Universities.

Year Amount (Naira)

2009 472,031,575,919

2010 497,531,778,701

2011 548,768,190,681

Total 1,518,331.545,304

The sources of funding were identified by the Agreement to include:

1. *i. Government*

(a) A minimum of 26% of the annual budget of the Government be allocated to education.

(b) At least 50% of this 26% be allocated to Universities.

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(c) The Federal Ministry of Education should pursue vigorously the issue of putting education on the first charge category.

1. *ii. Federal Government should provide general assistance to State Governments for University and higher education as allowed in section 164 (1) of the Nigerian Constitution.*

2. *iii. Education Tax Fund (ETF)*

(a) Return ETF to its original concept as Higher Education Fund.

(b) Make ETF an Intervention Fund

1. *iv. Petroleum Technology Development Fund (PTDF)*

2. *v. Transfer of Landed Properties to Universities*

3. *vi. Patronage of University Services*

4. *vii. Funds from Alumni Associations.*

5. *viii. Private Sector Contributions.*

In addition, the Agreement also provides that

- A comprehensive review of the agreement shall be undertaken in June 2012.

It is now over two years into the three-year lifespan of the Agreement and less than 10% of the Agreement has been implemented. As at today, the following are still outstanding:

- Funding requirements for revitalizing the Nigerian University system.
- Provision for progressive increase of annual budgetary allocation to education to 26% between 2009 and 2020.
- Transfer of FGN landed property to Universities.
- Federal Government General Assistance to State Governments for University and Higher Education as allowed by Section 164 (1) of the 1999 Constitution.
- Payment of Earned Allowances

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- Amendment of the Pension/retirement age for academics on the professorial cadre from 65 to 70 years.
- Review of NUC, JAMB and Education National Minimum Standard laws

1. 3. 2011 ASUU/FGN MoU: A TRUCE BETRAYED

At the National Executive Council meeting (NEC) held at the University of Ibadan (UI) on 11th Sept 2011, NEC painfully resolved to embark on a one-week warning strike that would start from the 26th of September, 2011.

After the declaration of this strike, Government invited the leadership of ASUU to a meeting with the Ministers of Education and that of Labour and Productivity. At the end of this meeting, a Memorandum of Understanding (MoU) dated 22nd September 2011 was reached.

Section 2 of this MoU is reproduced here *inter alia* :

“After extensive deliberations on the above stated issues of concern to ASUU, it was resolved as follows:

(a) That the existing FGN/ASUU Agreement 2009 Implementation Monitoring Committee should coopt the following:

1. i. Federal Ministry of Finance
2. ii. Federal Ministry of Labour and Productivity
3. iii. Budget Office

(b) That the Committee shall develop strategies and timelines to facilitate the implementation of the Agreement.

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(c) That the Committee shall conclude discussion on the implementation of the Agreement for presentation by November 22, 2011.â€œ

To any rational observer, it should be clear:

- That the issues raised are of concern to ASUU only and NOT the Federal Government
- That no serious/sincere effort was made by the Government to implement the Agreement for over 2 years.
- That it took the declaration of a warning strike to get the Union invited to another spate of merry-go-round.
- That the expanded Implementation Committee was to develop strategies and timelines to facilitate the implementation and NOT to implement.
- That as at today 4th December, 2011, contrary to the contents and dictates of the MoU, no document that constitutes the roadmap/timelines has been developed.
- That Government requested and got the two monthsâ€™™ grace to embark on this task without producing any result.

From the foregoing there is a very clear indication that the Government of Nigeria is NOT ready to fulfill its own side of the agreement that was freely entered into and freely signed. The government has remained defiant and closed. In the last two months (which government officially requested) ASUU made strenuous efforts to get the expanded Implementation Committee to meet and do its work. But all our efforts were in vain. *In fact, government, instead of encouraging the expanded committee actually sabotaged it, by unilaterally sacking the Chairman and a couple of other members, in breach of the University Miscellaneous Amendment Act (2003)*

How could the Committee function when its Chairman and key members who knew the detailed history of the negotiation process and the imports of the Agreement were sacked?

How could any timeline of implementation have been developed when the meetings of the Committee were deliberately undermined? How can the government convince Nigerians about its sincerity on this matter when it misused the entire two months it requested for, without utilizing a single day to address the problem? As if to add salt to injury, instead of addressing the underfunding debacle in the university system by implementing the 2009 Agreement, government decided to expend huge resources in the name of institutional accreditation of universities.

4. THE ONGOING INSTITUTIONAL ACCREDITATION EXERCISE

The ongoing institutional accreditation is again part of the conspiracy being hyped by the present government through its agency, the National Universities Commission (NUC). Teams have been sent to various Universities to assess state of facilities, staffing matters, conditions of service, etc. The exercise is an absurdity in its entirety because the health line for the various criteria being used can only be set within the ambit of the present poorly funded Nigerian educational sector. It is deceptive and would only encourage university administrators to give a feigned position that all is well.

In the last decade, the federal budgetary allocation to education was at an average of around 8%. *Actual spending may be in fact less.* Other countries with which Nigeria competes, particularly Ghana and South Africa, have spent up to 30% of their total budget on education consistently for the last few decades.

The best

University in Nigeria is not among the first 6000 in the world.

The question begging for answer, therefore, is on what standard is the accreditation based, Nigerian or global?

As earlier reiterated, one of the objectives of the FGN/ASUU 2001 and 2009 Agreements was to â€œrestore Nigerian Universities, through immediate, massive and sustained financial interventionâ€. This, along with other agreed items, we have affirmed, should lead to a reversal of the endemic decay in the system and thereby reposition it for greater responsibilities for national development. Rather than hearken to this patriotic call, the present crop of rulers at the federal and state levels have decided to put the cart before the horse by engaging in a futile exercise whose outcome is so clear if we situate the visitations within the realm of the present chronic underfunding. At best there will be widespread window dressing across institutions and this will certainly not address the present challenges of rot and decay caused by deliberate underfunding.

It is noteworthy that with poor funding, many other forms of malaise would become deep-rooted in our institutions. Salaries would always be irregular and a constant source of friction, especially in State Universities, research drive would become moribund, and most universities would deviate from their traditional role of creating knowledge to power national development. *We are of the view that massive injection of funds should precede any form of institutional accreditation*

. This is the honest path. It is against this backdrop that our Union condemns, in entirety, the waste and charade being made under the guise of accreditation, the deepening pretension, self-deception and mediocrity that are being promoted through the accreditation exercise and

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the overall philosophy and timing of the exercise. Our Union therefore resolved not to participate in any way to support this sleight of hand.

5. GOVERNMENT’S REFUSAL TO IMPLEMENT 2009 AGREEMENT

NEC of ASUU,

- believing that our Union’s position of saving the University System is patriotic;
- conscious of the fact that the 2009 ASUU/FGN Agreement is a vital tool for arresting the rot and reversing the decay in Nigeria’s University System;
- well aware that the 2009 Agreement is implementable by the operators of Governments in Nigeria;
- mindful of the fact that quality education and skills are the basic raw materials needed to engineer national development;

discussed extensively: the level of implementation of the Agreement by governments and noted the following:

(a) The two months requested by Government and granted by ASUU expired on November 22, 2011. These two months were literally squandered by government as no attempt was made by government to address the lingering problems within the period.

(b) The Federal Government of Nigeria ignored, neglected and failed to honour the provisions of the MoU reached with our Union which would have provided a leeway for the resolution of the pending issues.

(c) The statutory body shouldered with the task of dialogue with ASUU, the National Implementation Monitoring Committee, has been dissolved due to dissolution of University Governing Councils, which translates to the sacking of the Chairman and some members, hence removing the forum for dialogue.

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(d) The vital aspects of the Agreement: reversing the rot and decay in the University system through massive and sustained funding; review of Pension Laws; retirement age for academics in the professorial cadre; review of NUC and JAMB Laws; Earned allowances to entitled academics; and establishment of NUPEMCO, etc, *have not been implemented.*

(e) Out of the four main areas of the Agreement: Funding; Conditions of Service; University Autonomy and Academic Freedom; and Other Matters, only the monthly salary aspect has been implemented. This is unacceptable to our union.

(f) That the Federal government has dissolved the University Governing Councils albeit illegally (since every Council has a life-span determined by statute), thus stifling the good running of the University System, creating deplorable welfare conditions and arbitrariness etc.

NEC, having noted that the FGN neglected, ignored, failed and refused to implement the core components of the 2009 FGN/ASUU Agreement after more than two years of its signing, having squandered the two months it requested without achieving any progress in the implementation of the Agreement, having sacked the Implementation Monitoring Committee that serves as the forum for dialogue with ASUU on this dispute, is convinced that government is terribly insincere and is manifestly unwilling to genuinely implement the Agreement it freely entered into with ASUU. The Government has abandoned the main tenet of industrial democracy-that all agreements freely entered into must be honoured.

NEC of ASUU therefore resolved, painfully, to direct all members of ASUU in all branches nationwide to proceed on a total, comprehensive and indefinite strike beginning from the midnight of Sunday, 4th December 2011. For the avoidance of doubt, a total, comprehensive and indefinite strike means: No teaching, no examination, no grading of scripts, no project supervisions, no inaugural lectures, no appointments and promotions meeting, no statutory meetings (Council, Senate, Boards etc) or other meetings directed by governments or their agents.

An analysis of what is happening in every sector of our country reveals how our rulers are ruining us. Permit me to give you a synopsis of the state of our nation under the present crop of rulers.

6. STATE OF THE NATION

There is now an undisputable fact about Nigeria. The various factions of the ruling class are united, no matter their other differences, by their role as feeble agents of global liberal powers. They are surrendering the fate of present and future generation of Nigerians to the grips of the World Bank and the International Monetary Fund. Control of Nigerian government has been seized by the Western imperial powers. The World Bank and the IMF were decisive in the sponsorship and constitution of the economic team which was put in place following the inauguration of Mr. President after the April 2011 elections.

The economic team has in turn recruited like minds in preparation for mortgaging the future of our country to the World Bank, IMF and other western economic institutions. Dr Ngozi Okonjo Iweala also brought her "technocrats" into the team in order to reinforce the technical and ideological foundation for implementing the World Bank-IMF economic agenda in Nigeria and with it, the mortgaging of the future of generations of Nigerians to the dictates of the imperial world. With the team, the government of President Jonathan began an aggressive pursuit of privatization, commercialization, deregulation and devaluation with unparalleled zeal, with a view to completing the agenda begun since the days of the Obasanjo Presidency.

The result of the process is now public knowledge: abuse of due process, official theft of public property in the name of privatization, auctioning valuable national assets, cannibalization of parts and machinery, retrenchment of workers, general economic retardation, and destruction of social welfare and generalized insecurity. In recent months the FGN has intensified its campaign for devaluation, privatization and petroleum price increase, which the Nigerian labour movement including ASUU shall resist.

The ruling class has failed. It cannot provide **jobs, education, health care, affordable transportation**, roads etc. It is incapable of uniting the people: it uses ethnic origin as a political weapon; it does not believe in free and fair elections; all the ruling parties are private investments by the wealthy; the people have no say in them. The ruling class violates the integrity of the judiciary. The faction in power, with President Jonathan as head, but also the entire class, is unable to protect the people from **hunger, robbery**, murder of **innocent citizens** and **generalized insecurity**

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. Politically, Nigeria is in a precarious position in spite of the 2011 general elections.

The Nigerian ruling class is in disarray, manifesting itself in cross carpeting to other parties at will and manipulating ethnic or religious sentiments. They are in PDP today, ACN tomorrow, CPC the next, return to PDP or move to Labour or some other Party tomorrow. The call for a Sovereign National Conference has been turned into a call for ethnic bargaining among the same rulers who have ruined the economy and brought untold suffering to the people. The compelling question is: where is Nigeria heading to? We have been told by President Jonathan that Nigeria is heading towards economic collapse. But he should have added that the ruling class is responsible for the corruption, mismanagement and financial bankruptcy.

The Nigerian Foreign Policy is increasingly reflecting surrender, to imperial powers. Similarly, the Education system is being transformed to service the needs of global imperial interest by directing Universities to teach “entrepreneurship” and “economic principles” – the goal of education is no longer to produce knowledge and cultured citizens but to produce entrepreneurs.

Politicization and misplacement of priority have been salient aspects of the education system. A good example is the establishment of nine Universities, without planning and funding mechanisms even though pre-existing Universities are not adequately funded. *The people are unprotected also largely because of food insecurity which is the worst form of insecurity*

. *In such an uncertain situation, one can only survive through cheating*

. The masses of people are becoming increasingly in disarray. Unfortunately, the people have no party of their own to turn to. The first urgent task before organizations of the people, the Labour Movement and Civil Society groups, is to mobilize the suffering people, victims of slavish ruling class economics and politics, to reject and end the robbery of our national assets by the few in the

name of privatization

. Labour Movement and its allies must defeat the attempt to raise money for ruling class looting through punitive fuel price increases, under the guise of withdrawal of fuel subsidy.

Nigeria is not for sale. The decisive solution to poverty, hunger, lack of security, education, jobs, health care and human dignity, is to organize a party of the people which will win political power and reorganize Nigeria.

CONCLUSION

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The decision by ASUU NEC to embark upon a total strike has been taken after a careful weighing of all options before our organization. The option to the strike action now is to give up and allow the universities to collapse. For us, this is not an acceptable option.

Government has not been moved by dialogue. We urge students, parents themselves, the labour centre-NLC/TUC, civil society organizations, professional organizations, and all individuals who value the development of Nigeria, to prevail upon the Federal Government to honour the 2009 Agreement with ASUU in the interest of Nigeria.

Thank you.

Prof. Ukachukwu A. AWUZIE, fnia

President, for and on behalf of ASUU

04/12/2011.