FOOTPRINTS OF A GIANT



A FESTSCHRIFT IN HONOUR OF
PROFESSOR
M.M. AKANBI SAN

Professor Abdulwahab Olanrewaju Issa
(Editor-in-Chief)

FOOTPRINTS OF A GIANT
A FESTSCHRIFT IN HONOUR OF PROFESSOR M.M. AKANBI SAN

PROFESSOR A. O. ISSA
(Editor-in-Chief)

??????????????????????

FOOTPRINTS OF A GIANT

A Festschrift in Honour of
PROFESSOR MUHAMMAD MUSTAPHA AKANBI SAN

Editors:
Professor Abdulwahab O. Issa
Professor Kayode I. Adam
Dr. Saeedat B. Aliyu
Dr. Oluwatomi O. Adeoti
Dr. Hauwah K. K. AbdulKareem

Kwara State University, Malete, Nigeria

Copyright © 2024
Footprints of a Giant

A Festschrift in Honour of
PROFESSOR M. M. AKANBI SAN

First Published in 2024
Kwara State University Press and Publishing

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the copyright owner.

ISBN: 000-000-00000-0-0

Printed in Nigeria by:
Kwara State University Press and Publishing
Tel.: 07035014265

CHAPTER THREE

INSTITUTIONAL ADMINISTRATION AND THE RULE OF LAW

By

Dr. Olayiwola Gafaru Olorisade
Department of Educational Management and Leadership,
Faculty of Education,
Kwara State University, Malete, Nigeria.

ABSTRACT

Institutional administration is the act of managing activities in institutions of learning, towards achieving educational goals; while rule of law is considered as fundamental concepts that underpins the functioning of democratic institutions, which promotes just and equitable society. This paper reveals that the process involves the coordination of resources, with the human resource being the most complex, requiring administrators to motivate and relate with them impartially by following due process and ensuring their right to fair treatment. The paper considered the components of effective institutional administration to include; skill demonstration, clear rules and regulations, transparency, accountability and professionalism. It further considered the elements of the rule of law to encompass legal certainty, accountability, transparency, equalisation of treatment, and effective dispute resolution mechanism. The experience during the tenure of late Professor M.M. Akanbi showcased an administrator, who was transparent, constantly emphasising obedience to institutional regulations, frowned at molestation of staff and students by anyone, and engaged institutional community members in decision making and in the formulation of new regulations. The late Vice-Chancellor showed himself a good listener, team player and a leader, who does not muzzle staff and students. He demonstrated accountability, transparency, professionalism in handling administrative tasks, and he did not compromise on matters of law, as he promoted an institution, where laws are respected, rights protected and justice served to all members of the KWASU community.

Introduction

Institutional administration refers to the process of managing activities within institutions, using available resources (human and material), in the most appropriate way to achieve institutional goals. It could also mean the act of governing institutions to ensure they operate in a fair, transparent and accountable manner. This process requires skills, tact and abilities to fulfill mandate by institutional leaders. The demonstration of managerial skills alone is insufficient at aiding the achievement of group goals, as human beings are complex and factors that motivate them vary from person to person. In the light of this, the

administrator's ability to handle situations appropriately and the tact of relating with staff is essential, for the staff to show dedication and commitments to the operations of the institution. Proper institutional administration is important at ensuring commitment of institutional members towards the accomplishments of group goals, and at ensuring dedication of staff towards contributing maximally to group tasks. Many organisations with competent staff members achieve less than their capacities, when employees consciously or otherwise fail to optimally apply themselves to the tasks at hand. Abraham Maslow referred to this as soldiering, and it results from factors that have to do with welfare and fairness in the ways they are treated. This explains the need for proper institutional administration for attaining specified goals and objectives.

On the other hand, concept of rule of law is broad, and it appears that there is no universally agreed definition; but in this paper, rule of law will refer to the principles that institutional workers are subject to, which guides individual's activities within organisations. It is that which provides a framework of legal actions and principles that protects and guides institutional members in their jobs. This includes the principles relating to due process, equality of access, protection from arbitrary and unjust actions, and right to fair treatment, wherein decisions are made in a fair and impartial manner. Britannica considers rule of law as the mechanism, process, institution, practice, or norm that supports the equality of all citizens before the law, secures a non-arbitrary form of government, and more generally, prevents the arbitrary use of power. Rule of law holds that administrator's power is used in accordance with the extant law rather than the arbitrary wills of officials. It is essential for effective institutional administration, as it provides a framework of legal principles and protections that govern the actions of institutions and individuals within them. In this wise, institutional administration prevents abuse of power and ensures that they are held accountable for their actions.

Institutional administration and the rule of law are interdependent concepts that are essential for the effective functioning of modern societies, including institutions. By upholding the rule of law and promoting transparent and accountable institutional administration, leaders can ensure that institutional operations are fair, just, and accountable to the people they serve. It is important for institutional administrators/leaders to be seen and to act in ways and manners that uphold the rule of law, for institutional members to offer their best services to the institutions. Many times, institutional administrators act in ways contrary to upholding rule of law in their institutions, which negatively affects morale of organisational members, resulting in poor commitment to work, higher levels of job complaints, greater levels of absenteeism and general poor quality of work. This paper seeks to capture the essence of rule of law for enhancing effective institutional administration and the efforts of late Professor M.M. Akanbi at promoting rule of law, which in the view of the writer, has reduced tension, aided inclusiveness, engendering greater development and progress in the Kwara State University,(KWASU) Malete.

This chapter observes that many institutions of higher learning, KWASU inclusive, have had institutional administrators, who have severally abused and trampled on the laws guiding the activities in the institutions, with staff members suffering varying forms of deprivations ranging from arbitrary suspension without following due process, denial of rights, including that of freedom of association and expression, non-equalisation of

opportunities for training and development as well as attendance at workshops and conferences. Other deprivations include imposition of surrogates on others at varying levels of administration, etc. This has been observed to result in the promotion of mediocrity, "eye-service" and hypocritical execution of assignments, which in most cases, results in poor output at work, reduced commitments of staff, and intentionally doing less than required at work. These negatively affect the quality of work done and quality of graduates turned out from such institutions, as staff members minimally perform their jobs, which negatively affect the overall performance of institutions.

Components of Effective Institutional Administration

The achievement of institutional objectives by administrators requires proper focus on some key factors that aid in the achievement of stated goals. Some of these include:

i) Skill Demonstration: This is with regards to the technical trait related to the subject of institutional activities in the three domains of teaching, research and community service. To succeed in such leadership role, administrators are expected to fully understand the nature of work in faculties and departments, and what each member of the faculty team does to further the goals of their departments and faculties. They are expected to showcase conceptual skills in the abilities that reveal their understanding of complex scenarios and developing creative solutions. From a management perspective, these skills offer the ability to approach complicated workplace situations in a variety of ways. A conceptual leader can think through their ideas, transforming thoughts into action-driven solutions and benefiting the organisation. Administrators are also required to exhibit human skills through their ability to understand the feelings, attitudes and motives of others, with a rich knowledge of human behaviour. This enables administrators to work cooperatively with others towards achieving goals through members of the institutions. Olorisade (2008) reported that institutional managers in College of Education in South-Western Nigeria demonstrate appropriate managerial skills and that it enhanced the morale of staff toward the accomplishment of the objectives of the institutions.

ii) Clear Rules and Regulations: This is necessary for the execution of tasks and proper decision making. It promotes consistency and fairness in the performance of activities and ensures that individuals within the institutional setting are aware of their rights and responsibilities. This must be clearly communicated to all institutional members, to help in the achievement of institutional goals. Some institutional administrators default in this respect, in their bid to enforce their preferences on institutional members to promote allegiance to themselves and not the institution, which results in the promotion of mediocrity and hypocritical execution of tasks, resulting in poor work output, reduced commitments of staff, and intentionally doing less than required at work.

iii) Transparency: This relates to openness and degree of accessibility, required in institutions to provide information about activities, decision-making processes and financial management to stakeholders. This is meant to build trust and promote accountability in institutions, providing opportunities for stakeholders to challenge

decisions or actions believed to be unfair and unjust. Again, many administrators default in this area, in their bid to help themselves and their cronies to better enjoy institutional privileges and use its resources, to the disadvantage of other institutional members. In such situations, administrators either enforce their choice of union leaders or haunt and deny agitators of transparency some rights and privileges, to force them in "falling in line". This usually results in the mismanagement of institutional resources and corruption, which hamper effective institutional administration and promotes crises in institutions.

iv) *Accountability*: This involves rendering account of stewardship or being answerable for actions, and it is an obligation imposed by law on officers and other persons in positions of authority, who are expected to render accurate record of property, documents or funds entrusted to them. Many times, administrators do not consider matters raised by institutional members seeking to hold them to account and they consider such individuals/groups as enemies and individuals that must be punished for airing such views. In some instances, administrators have been found to convert institutional properties for personal and family uses, while documentation on properties is taken lightly. Such administrators, most times, refuse to provide channels for complaints by institutional members, or step such complaints down, while oversight mechanisms for independent auditors or ombuds-persons are denied in monitoring and evaluating activities. This negatively affects institutional administration, and most times, leads to strike actions, especially when the dues of institutional members are not given to them.

v) *Professionalism:* In relation to character and standards, this is expected of administrators in managing the institutions and demonstrating discretion, even-handedness and fair play goes a long way at influencing institutional activities at encouraging adherence to ethical standards. Institutional administrators who ought to demonstrate professionalism in their conduct, adherence to ethical standards and promoting a culture of integrity and respect, many times, fail to do so. This results in the failure at ensuring that decisions are made in an impartial and objective manner, and that institutions are not subject to undue influence or corruption. The outcome is that institutional members will draw back in their execution of tasks in the correct manner and not bother about prompt task performance, which negatively affects institutional effectiveness.

Rule of Law in Institutions

Institutions play a crucial role in upholding the rule of law. They serve as the custodians of legal frameworks, ensuring that laws are enacted, interpreted, and enforced in a consistent and impartial manner. By adhering to the rule of law, institutions provide a stable and predictable environment, where individuals effectively operate, fostering trust and confidence in the system of operations. The rule of law is a fundamental concept that underpins the functioning of democratic institutions and promotes a just and equitable society. It encompasses several key elements, including legal certainty, accountability, transparency, and equal treatment under the law.

i) *On legal certainty*, institutions must establish clear and accessible laws that define rights and obligations, allowing individuals to understand and operate within the legal system. It requires that laws should be applied consistently and predictably, ensuring that individuals are not subject to arbitrary or discriminatory treatment. This requires institutional leadership to put in place appropriate committees of people with integrity, free from political interference and external pressures, which is essential for upholding the rule of law. The individuals must have the competence, integrity, and impartiality to interpret and apply institutional laws without bias, ensuring that justice is served, and rights are protected. This should be done, independent of the desires of management and properly interpreting and applying institutional law/provisions, objectively.

ii) *With regards to accountability*, it requires that institutional managers should make themselves accountable for their actions. Institutions must therefore establish mechanisms for oversight, such as project monitoring committee and responsive union activities, to ensure that power is exercised responsibly and within the boundaries of the law. This will, to a large extent, reduce abuse of position and corruption, which undermines the rule of law.

iii) *In promoting transparency*, institutional managers are required to carry out institutional operations in an open manner, providing access to information and making decision-making processes, transparent. Such institutions build trust in their members, enhance public participation, and allow for scrutiny and accountability. This also extends to the legal system where laws, regulations, and court decisions on institutional practices are easily accessible to institutional members.

iv) *The rule of law requires* institutions to ensure equal treatment under the law. This means that individuals should be treated fairly and without discrimination based on factors of ethnicity, gender, religion, or social status. Institutional leaders have the duty to actively promote and protect human rights, ensuring that the legal system respects and upholds the principles of equality and non-discrimination of all staff members.

v) *The rule of law also requires* institutions to provide accessible and efficient dispute resolution mechanisms. This includes establishing a functional and impartial system of adjudication, alternative dispute resolution methods, and other legal services to ensure that individuals have access to justice regardless of their ethnic or social background. Institutions should strive to eliminate barriers to justice, through complexity of procedures and lengthy delays, in order to ensure that justice is accessible to all and seen not to be denied. Furthermore, the issue of fair hearing as provided for under section 36 of the Constitution of the Federal Republic of Nigeria, 1999 is sacrosanct.

However, it is important to acknowledge that the rule of law is not static and can face challenges in practice. Institutions may be subject to political influences, corruption, or inadequate resources, which can undermine the rule of law. It is therefore essential for institutions to have robust mechanisms for internal and external oversights, such as independent commissions of visitation panels and civil society engagement, to safeguard the integrity and independence of the institutional legal system.

KWASU Experience under Professor M. M. Akanbi

From personal experience as a pioneer staff, KWASU has so far had two Vice-Chancellors (institutional leaders), who have demonstrated differing styles of leadership, with varying degrees of adherence to the rule of law. The university had proven itself as an institution to reckon with among its peers; but had not fully tapped the talents and skills of staff members, as a result of haphazard adherence to the rule of law on varying issues as it pertains to staff and student matters. This, in institutions where it is observed, usually results in poor commitments of staff to duties. The tenure of Professor M. M. Akanbi revealed a consciousness towards greater adherence to the rule of law, may be because he was a trained lawyer, a peace advocate, and a Senior Advocate of Nigeria (SAN).

In skills' demonstration, the tenure of late Professor Akanbi showcased a thorough-bred academic, with a rich knowledge of the essence of university education for which he used a more practical approach that engaged departments and faculties more, promoting regular meetings of the various academic committees, Business Committee of Senate (BCoS) inclusive, at ensuring improved preparation of students. He had a rich understanding of the need for inter-relationships between departments and units, while being open to staff and students' concerns, with regards to their welfare. He promoted regular dialogue with the staff and student unions, as well as with the leadership of faculties and directorates, through the introduction of expanded management meetings.

The tenure of Professor Akanbi showcased a departure from the previous administration with regards to ensuring clear rules and regulations. He:

i) carried along his management team in understanding of his vision for the institution and laid out his plans towards achieving it, while extending same to the extended management, who were exposed to the vision and mission in a retreat organised for them:
ii) regularly emphasised the need to obey institutional rules and regulations in task execution by staff and students, as it relates to students' registration, departmental conduct of activities, schedule of programmes, etc;
iii) demonstrate courtesy and held everyone in high esteem, including his subordinates and did not permit molestation or harassment of students by either staff or fellow students;
iv) encouraged contributions of university community members, before finalising on decisions, especially on weighty matters, ensuring due process is followed;
v) insisted on constant reminders on issues, so that staff and students can avoid infractions;
vi) engaged staff and students' unions on new regulations and rules pertaining to their activities;
vii) insisted on a close working relationship of the Student Affairs Unit with students and their Union leadership, to prevent disorderly conducts that may result in sanctions;
viii) was a good listener, as he readily considered requests on the basis of the requirements of law and explained same to people; this he demonstrated when academic staff union informed him of their autonomy in electing their Deans;
ix) did not muzzle students but gave freedom to act and opportunities to express themselves, for them to be properly guided; and
x) did not compromise on whatever was the correct thing to do, as long as it was guided by the rule of law.

Professor M.M. Akanbi's tenure demonstrated:

a) *Accountability in many fronts*, being meticulous with the use of university funds, accounting for, and promoting accountability among staff and students, painstaking in the approval of funds for university activities, found time to discuss with stakeholders on steps taken with regard to the use of university financial resources, provided platforms for staff and students to benefit from institutional opportunities with available fund and puts mechanism in place to check mis-application and misuse of funds through constant monitoring, while giving appropriate punishment/sanctions for diversion of funds by staff and students. He sets up committees on students' misappropriation of union funds and insists that staff members found guilty of misappropriating monies be made to refund same to the university coffers. I was opportune to serve on one of such committees. Professor Akanbi as a lawyer, assisted the university to bring down bank interest rates on loans that were being collected to run the university, and carried his management along, whereas many will exploit such opportunities to enrich themselves.

Professor Akanbi did not compromise on lecture attendance by staff and ensured regular work attendance of non-teaching staff. For him, workers must earn their pay. Again, Professor Akanbi engaged in regular interactive sessions with staff and students and was desirous of knowing how students were getting along in the university. For him, students were the reason why the institution was established and must be adequately catered for, in all respect. He worked towards ensuring preparation of "complete students" who will be effective leaders in the near future. He also encouraged students to speak up in the face of challenges and strive to constantly meet their needs. Finally, on accountability, Professor Akanbi usually insists on prompt report of committees, so that issues are taken up as quickly as possible, to avoid negative effects on the university community. That was the man- Professor Mustapha Muhammed Akanbi, as an accountable institutional manager.

b) *On transparency*, Professor Akanbi showed himself as a leader with integrity. He took time to explain to the academic staff union on the need for change of vehicles for deans and directors, when it was evident that the ones in use were old and constantly breaking down on the road, while the university was short on funds. Many institutional leaders will state that they are not accountable to the staff; but he went that far to demonstrate transparency. His tenure matched words with actions to move KWASU to the next higher level, as he reconciled the factional academic staff unions, insisting that he needed them to work with him towards achieving institutional goals. For Professor Akanbi, institutional administration needed to cooperate with unions, as against the hard-line position of his predecessor. He was always ready to discuss the financial position of the institution with staff and students' unions, especially when there is clamour for improved welfare and his approach abated disagreements, while he ensured university stakeholders, ASUU inclusive, were involved in statutory committees like the "Project Monitoring Committee" to oversee TETFund projects on campus. This was not the practice before he became the University's Vice-Chancellor.

Professor Akanbi constantly engaged the faculty leadership, with staff and students' unions in discussing important university matters, as he had nothing to hide,

encouraging positive criticisms for richer discussions towards making right decisions. He gave freedom to university committees to carry out their statutory functions, including decisions on beneficiaries of TETFund sponsorship for training, workshops, and for the acquisition of additional degrees; while he also ensured inclusiveness in the formation of committees and directorates of the university, thus promoting a sense of belonging in staff members.

c) *On professionalism*, Professor Akanbi demonstrated that he was a thorough bred professional through his uncompromising stand on correct ways of carrying out tasks and responsibilities. He was attuned to choosing individuals that will deliver on their mandate, rather than consideration based on religious, ethnic or other ancillary considerations. Many institutional leaders will prefer to choose people that will do their bidding in the execution of institutional tasks to promote allegiance to their persons; but Professor Akanbi differed in that he was concerned with the system than his person. He engaged accomplished academics in key university positions, to promote the culture of hardwork and encourage staff to deliver on their mandate.

Anytime Professor Akanbi is taken up on issues, he was not antagonistic to criticisms that some other leaders will consider daring; but he (Professor Akanbi) provided necessary information as to the current state of things and seek to do better in all circumstances. He does not arrogate all wisdom to himself as the leader, but ready to share in the wisdom of other people around him. As a true professional, Professor Akanbi had no perceived enemies within or outside the university community, as he carried out his activities in ways that will benefit all. When it was evident that the Students Union election was being heavily monetised with forces outside the university interfering, his professional instinct moved him to discuss with the university legal team and the Student Affairs Unit, with whom he decided to suspend the election, until appropriate measures were put in place to correct lapses.

Professor Akanbi, as a professional, frowned at the aberration, where a junior/subordinate staff takes superiors for granted as coordinator of unit or section, due to unfair opportunities before he took over as the Vice-Chancellor. He therefore ensured that heads of units/sections were high ranking university staff. This was in a bid to promote the culture of respect, hardwork and mentorship. He also sought to raise the productivity of academic staff through a review of the promotion conditionality, which was initially resisted when compared to requirements in other universities. He therefore constituted a committee to harmonize positions on the conditions for academic staff promotion. That was the man, Professor Akanbi, a true professional, who will not stifle the up-and-coming academics.

d) *On legal certainty*, Professor Akanbi gave effect to promoting rules and procedures for decision making. He gave effect to the reinstatement of a former KWASU staff unjustly sacked, for which the National Industrial Court (NIC) ruled that he be reinstated; but his predecessor refused to obey the court injunction. Professor Akanbi swiftly reinstated the staff and paid his emoluments without delay. The same staff died not long after but the step taken by Professor Akanbi left an indelible mark in the hearts of KWASU staff and the immediate family of the deceased.

Professor Akanbi engaged stakeholders on transportation, apart from his management team, when he got information on transporters engaged in substance abuse and ferrying same to the campus. After a robust discussion on the matter with the Transport Committee, Students Union, Student Affairs Unit, University Legal Unit, and the Alumni body the need to sanitise operations of the transport system was decided upon. He will not use a fiat to decide on what he wants, but with others decide on what is best for the university. Again, when it was realised that students were turning the campus roads to a race course and accidents were prevalent, he also took decisions with appropriate stakeholders within the university system to stop students from coming to the campus with their personal vehicles. He frowned at oppression of fellow students by their peers and promoted equality of all students.

The University, under the leadership of Professor Akanbi, floated a shuttle transport service with partnering bodies, and medical tests were carried out on applicant drivers to ascertain their state of health and their vision, with the successful ones exposed to training with adequate information on the dos and don'ts of the university. This was to promote adherence to the rule of law. As a promoter of the rule of law, he did not condone aberrations in the process of electing Students Union leaders and had to suspend the process of electing members of the fifth assembly of the union, until corrective measures were put in place. This revealed a man with sufficient courage to ensure appropriate rules and procedures were followed, to ensure institutional success at fulfilling her mandate of adequately preparing future leaders for the nation.

On a final note, Professor Akanbi can rightly be described as a Vice-Chancellor who truly demonstrated administrative acumen, using appropriate rule of law and thus promoting professionalism. By upholding legal certainty, accountability, transparency, and equal treatment, he promoted an institutional environment where laws are respected, rights are protected, and justice is served. As a man who believed in the rule of law, he showed himself to be above primordial sentiments, distancing himself from religious bigotry, ethnic chauvinism and was not sentimental on issues. He believed in the equality of men.

The above discussed traits of Professor Akanbi in the KWASU, Malete encouraged a culture of hardwork as there are no more “sacred cows”, and it brought down the sycophancy syndrome that plagued the university for some time. It also resulted in the re-setting of the university administration where everybody is now somebody and where equalisation of opportunities manifests. This, to a large extent, has resulted in a more functional system, where hard work and quality execution of tasks prevail. The man Professor Muhammed Mustapha Akanbi will forever be remembered as a man who galvanised the initially fragile community to a robust, strong and united family of workers. Adieu Professor M. M. Akanbi!

REFERENCES

https://www.britannica.com › topic › rule-of-law2. Olorisade, G. O. (2008). Relationship among Managerial Skills, Staff Morale and Organisational Effectiveness in Colleges of Education in South-West Nigeria. Doctoral thesis, University of Ilorin.

Constitution of the Federal Republic of Nigeria, 1999.