THE ROLE OF UNITY SCHOOLS IN NATION BUILDING

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The Role of Unity Schools in Nation Building

It is a privilege to be invited to speak at the inaugural lecture of my alma mater and the Unity Schools Old Students Association on the subject ‘The Role of Unity Schools in Nation Building’. I would like to share with you my thoughts on a subject, whose importance to our country, particularly at this point, has been brought to the front burner as it rightfully should. It is the subject of the vital role of unity schools in nation building.

It is received wisdom that sound education is a pre-requisite for honouring the trust we hold as legal practitioners in our different callings. This is the trust we hold for others – the future generation of Nigerians. It is about dealing with the realities of our diversities in a plural system in ways that enhance the common good rather than diminish it.

Attachment and allegiance to family, ethnic and cultural groups are universal phenomenon of civil societies, but in Nigeria these appear to have undermined national consciousness and solidarity that it had in the past been difficult to replace the negative aspects of these feelings with a positive feeling of common identity, a shared community sentiment and a common sense of patriotism and nationalism. What Nigerians need, is rising above these parochial bases of allegiance to integrate on the basis of common interests for the good of the society, and which unites them against anything else that threatens that common good.

One of the criticisms against the federal system of government is that it encourages tribalism and ethnic differences. Several notions and beliefs have clouded the minds of “the good people of Nigeria” to the extent that the norm is “every man for himself” – a total disregard for oneness and national unity.

Whilst it is tempting to have recourse to the age old saying “the good old days – when things were better”, and succumb to the sweeping statement that standards have fallen and/or are falling, it is also remarkable to note that Unity schools have also recorded significant successes - training and producing world class and eminent members of the society in Nigeria and world over.

Unity schools have indeed helped to play down ethnic and tribal differences. It has helped its products to see one another as members of the same country. When the opposite was done, it led to ethnic and religious wars and genocide.
Nigeria has seen so many lives lost to hostilities resulting from hate and ethnicity that such attitude should be abhorred. Thus in *Monkom v Odili*¹, the Appellants challenged the purchase of land by the Respondent on the ground that he was not from that community. Condemning the Appellants’ action, the Court of Appeal per Omokri, JCA said:

It is strange and indeed very disappointing and disheartening that at this very period of our nascent democracy … the Appellants are brazenly waging a war of attrition based on tribal sentiments. After we fought a civil war for the unity of this country, some despicable elements are doing everything in their parochial mind and myopic vision to entrench the evils of tribalism. Let reason and wisdom prevail; let us move this country forward.²

**Against Religious Extremism**

The spate of the religious conflicts which have plagued the Nigerian Federal system of Government is on the increase and must be paid close attention to. By ‘religious conflict’, it means a situation in which the relationship between members of one ethnic or religious group and another of such group in a multi-religious society is characterized by lack of cordiality, mutual suspicion and fear, and a tendency towards violent confrontation.³ Religious sensitivities among Nigerians have blindfolded the nation from the richness of culture which it ought to benefit from. It has weakened patriotism, insecurity, commitment to national deals and true nationhood. Each group believing in the superiority of its norms and practices has led to a general uneasiness and distrust. This has in turn resulted in several conflicts.

Some of the ethno-religious conflicts include; the Maitatsine sectarian crisis in 1981, the Kaduna and Bulunkutu (Maiduguri) in 1982, the Ilorin Muslim-Christian riot during Christian Easter procession of March 1986, Zaria and Funtua religious riots of March 1987. The most worrisome account so far is the recent large scale of unimaginable bomb attacks by the Boko Haram movement, which is escalating every day. This sect clamours for an eradication of western education and are on a rampage to achieve their aim. These ethno-religious crisis not only undermine the effectiveness of federalism to foster national unity and security, but also threaten the stability of the federation. There is bound to be some form of tension among the religious groups, this can be allayed by a general acknowledgement of the equality of each religion as against superiority of one over another. This will reduce the discrimination and marginalization prevailing in the nation.

**OPTIMIZING THE RICHNESS OF DIVERSITY**

One of the fundamental features of a federal state is the diversity of the federating units in the federation. For instance, Nigeria is made up of more than 350 ethnic groups with over 470 languages. This is well recognised under the Nigeria Constitution in provisions dealing with citizenship and fundamental rights provisions. The 1999 Constitution as amended specifically recognised the diversity and federal nature and provides as follows:

“The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out

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¹ (2010) 2 NWLR (Pt. 1179) 419.
² At page 455.
in such a manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that government or any of its agencies.\textsuperscript{4}

In addition, section 15(2) of the 1999 Constitution as amended provides that national integration shall be actively encouraged, whilst discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited.

Article 2(1) of the International Covenant on Civil and Political Rights provides that each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

It is noteworthy that in a federal nation like Nigeria there is bound to be conflicts among the federating units. A fundamental problem of federalism, therefore, is how to manage or resolve such and other potential conflicts in the face of diversity.\textsuperscript{5} Diversity in any politically organized or democratic society like Nigeria should be more of a resource than a source of conflict.\textsuperscript{6} The diversity in the identity in the Nigerian Federal System should provide a strong competitive platform for economic, social and political development in the country. In supporting social science view that diversity should be seen as a resource rather than a problem, Ladan observed that -

Despite their diversity, identities can live in peace, as a community of citizens, cooperating with each other in order to advance their mutual wellbeing. However, as actors in the socioeconomic arena, they also compete for access to political and cultural power and economic resources. Such competition, no doubt, creates conflicts of interests and ideas, which are normal and can be handled peacefully by an effective system of governance, which ensures that the competition takes place within legal bounds that ensure a level playing field and that no identity group is marginalized from equitable citizenship rights and access to opportunities. In the absence of effective governance, however, identity groups, especially ethnic and religious groups, can engage in violent conflicts both against the state and against each other.\textsuperscript{7}

From the foregoing, the ethnic, religious and cultural diversity that exist in Nigeria can be harnessed for the good of the society. However, this requires a fundamental prerequisite: good governance. Good governance will breed effective and healthy competition in the country which promotes economic development; engender peaceful co-existence and equality of all within the bounds of the law. Ladan went further to highlight that under conditions of governance-deficit, where access to opportunities are not equitable, however, diversity, especially racial and ethnic diversities, which claim blood ties among their members, can be transformed into direct or indirect source of violent conflicts. It is not only in

\textsuperscript{4} Section 14(3) of the 1999 Constitution as amended.
\textsuperscript{7} Ladan (Supra).
ethnicity, religion and language that you find diversity in Nigeria. Different parts of the country are endowed with different mineral and natural resources that form a strong tool for economic development. Apart from oil and gas that is the major source of earning for the country, the following solid minerals are available in Nigeria: Gold, Lead/Zinc, Iron-Ore, Coal, Tin, Bitumen, Columbite, Tantalite, Wolframite, Talc, Gypsum, Bentonite, Rock Salt, Gemstones, Baryte and Kaolin. These solid minerals have attracted the following mining companies in different parts of the country: Gems and Minerals Limited Located in Toro, Bauchi State; Subelco Services Limited located in Auchi, Edo State; Paularge Veco Global Nigeria Limited located in Etsako East, Edo State; Matson Associates Nigeria Limited located in Egor, Edo State; Terra Cotta Mining and Manufacture Limited located in Jos and Ligu Nigeria Limited located in Ijebu-Ode, Ogun State.

From the foregoing, the diversity in the natural resources and mineral endowment of Nigeria if properly harnessed should be among the drivers of economic development in Nigeria in addition to the enormous potentials in the Nigerian oil and gas industry. It also begs the question of good governance in the country. For these diverse natural resources to be properly harnessed, it requires good governance that understands and utilizes the principles of ideal federalism.

**EDUCATIONAL FUNDING**

I have at different fora, stated a fundamental truth which is that education has a cost that someone must bear. Someone must write the education cheque, and this does not change whether the education is at unity schools or no. I am of the view that even where education is stated to be “free”, the reality is that someone essentially has to bear the cost so that it would appear free to the beneficiary. For instance the Government of the old Western Region of Nigeria put in place a plan that would ensure not only free education to the beneficiary, but free quality education. Ademola Ajayi captures this thus:

The Minister of Education for the Western Region, Chief S. O. Awokoya, presented a comprehensive set of proposals calling for a free, universal and compulsory education otherwise known as the Universal Primary Education (U.P.E.) for the Western Region by January 1955 (Awokoya’s Proposal 1952). To make such a programme possible without lowering standards drastically, the minister included in his proposal a massive teacher-training programme, the expansion of teacher training facilities and secondary schools, the introduction of secondary technical education and Secondary Modern school (Western House of Assembly Debates: 30 July 1952).

This was a comprehensive approach that involved a clear policy and plan of implementation, strong emphasis on teacher training, and adequate funding. As noted by Ademola Ajayi:

Between 1954 and 1966, education attracted the largest share of the Western Region’s recurrent budget, having varied between 28.9 per cent and 41.2 per cent during the period (Table 4). In the 1958-59 financial years, for instance, 41.2 percent of the total recurrent budget was devoted to education alone. This, undoubtedly, represented one of the highest proportional expenditures on education, the world over. That was
an ample demonstration of the great importance that the regional government placed on education. However, the fact should equally not be ignored that the more money spent on education, the less there was for the sectors that could provide employment and other services.\textsuperscript{9}

It is therefore not difficult to see how quality education came about in the old Western region – simply by the set of choices made, and a decision by the Government to write the cheque for that priority sector. Unfortunately, there has been a trend reversal over the years, with less capital allocation to education as a percentage of Gross Domestic Product or even recurring expenditure. Aare Afe Babalola SAN takes the view that the priority accorded education in the 1960s has somewhat diminished –

At the moment security challenges being experienced around the country has ensured that defence gets the highest budgetary allocation this has left many Federal and State Universities bereft of funds.\textsuperscript{10}

There has been low budgetary allocation over the years by successive Nigerian Governments. In the year 2012, Nigeria was ranked 20th in a World Bank Survey on the percentage Budgetary Allocation to education in twenty (20) countries. The survey table is as follows:

It should be noted that of the twenty countries listed above, twelve (12) including Nigeria are African Countries. So if the survey had been limited to the 12 African countries alone, Nigeria would still have been rated lowest. It should also be noted that with the exception of Norway, USA, and the United Arab Emirates (UAE) all other countries on the survey including Nigeria can adequately be classified as belonging to the developing world. So yet again if the survey had been confined to countries in the developing world, Nigeria would have still ranked last.

In a bid to reverse the trend and demonstrate a desire to bring about positive change in the fortune of Nigeria’s educational sector, the past government on the 10\textsuperscript{th} of October 2012 presented a budget of N4.9trn to the National Assembly of which the sum of N426.53bn was allocated to education.\textsuperscript{11}

Although a commendable increase, I urge the current administration to increase the effort in this direction until the minimum of 25\% of the national budget prescribed by UNESCO is achieved, and possibly surpassed. At the Afe Babalola University Distinguished Fellow Lecture on March 19 2010, Arthur M. Sussman, Professor of Law, University of Chicago stated as follows:

State funding has been decreasing as a percentage of public university budgets, and in some cases, it has been decreasing in actual dollars. Some state universities receive as little as 8\% of their budgets from the state. Few receive more that 35\%. The average state institution receives 22\% of its revenue from state support. In reality, the economies of many state and private universities are similar. Both depend heavily on student fees. For state institutions it averages 17\% of revenues. For private institutions it is 26\%.”

I particularly admire the logic behind the 1996 Recommendation of the Committee

\textsuperscript{9} Aare Afe Babalola SAN, Free Quality Education: Myth or Reality, being the text of a Convocation Lecture delivered at the 32nd convocation of the Adeyemi College of Education, Ondo on the 14th day of February, 2013.

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\textsuperscript{11} Aare Afe Babalola SAN, Free Quality Education: Myth or Reality
of Registrars of Nigerian Universities to the Federal Government, where they proposed that Universities should show what it costs exactly to provide their services. Looking for instance at University of Lagos –

What does it cost the University to provide X number of medical students in their Y semester study? This requires that all costs elements (e.g. Biochemistry 101) per X number of students per semester must be computed. This means that it will be possible to determine what it costs to educate a medical student at the University of Lagos. Now, if the government says anyone who goes for medical school need not pay, what it means is that the government is disbursing to the university exactly what it costs the university to provide the service for each student. Otherwise both government and College authorities are engaged in a murderous game of make-belief for the training of doctors.

The Registrars’ suggested solutions in 1996 which are still valid today and are based on the principles that include that -

Parents who can pay fees should be allowed to pay instead of preventing them by declaring a free education that we do not match with commensurate financial backing ....

In conclusion we need to revive unity schools along the principles highlighted above, namely

- That Education has a cost that someone must bear
- The entire system needs to be built upon honesty and factual suppositions
- The role of unity schools should continue to be the neutralising factor on our differences
- We should optimize the benefits of our diversity

We have to equip the future generation of Nigerians better than we were equipped by unity schools, so that we will not only keep pace with the current developments but also meet the demands of the future.

I would like to congratulate the Chairman and organisers of this inaugural lecture, and all who have a stake in the continued progress and development of our unity schools and indeed our country.

Long live the Federal Republic of Nigeria!
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About
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Professor Fabian Ajogwu is the Principal Partner of Kenna Partners, a Senior Advocate of Nigeria, and a Professor of Corporate Governance at the Lagos Business School. He is an Alumnus of both the Said Business School of Oxford University and the Lagos Business School. He holds a doctorate degree in Law from the University of Aberdeen, Scotland; an MBA from the IESE Business School, University of Navarra, Barcelona; and Law degrees from the University of Nigeria, and University of Lagos.

The Learned Senior Advocate has been Lead Counsel to the Federal Government of Nigeria and its Agencies in several cases of national importance. He has extensive experience in deal structuring and has advised on complex transactions in several industries including Energy, Maritime, Banking and Financial services, Real estate and Infrastructure. He chairs the Board of the Novare Group in Nigeria (owners of the Novare malls), ARM Harith Infrastructure Ltd (Nigeria’s pioneer infrastructure fund), and NES Global, amongst others. He is a Non-Executive Director of Stanbic IBTC Holdings Plc, a Non-Executive Director of Guinness Nigeria Plc, and has served as Honorary Counsel to the State of Israel and the Republic of South Africa, in Nigeria. He assisted the Securities and Exchange Commission in drafting Nigeria’s pioneer Code of Corporate Governance. He chaired the Nigerian Communications Commission Committee (NCC) on Corporate Governance that produced the pioneer NCC Code of Corporate Governance for the Telecommunication sector in the year 2014 and assisted with the Code’s review in 2016. He also served on the Committee of the Financial Reporting Council of Nigeria that produced the 2018 National Code of Corporate Governance.

He is a member of the Editorial Board of the ‘Journal of Corporate Governance’, a publication of the Society for Corporate Governance Nigeria and a member of the Editorial Board of the ‘Journal of Law Practice’ of the body of Senior Advocates of Nigeria.