



HIGHER EDUCATION ADMINISTRATORS AS PROMOTERS OF CONTEXT-SPECIFIC SOLUTIONS: MEETING THE EVOLVING EXPECTATIONS OF STUDENTS IN NIGERIAN UNIVERSITIES AND BEYOND



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Abstract

This paper examines the role of higher education administrators in safeguarding the legitimate expectations of students in Nigerian public universities system, using a legal and administrative framework. Students increasingly position themselves as key stakeholders, investing financially, personally, and academically, the responsibility of university administrators to protect their interests emerges as a central governance priority. While many global higher education systems have institutionalized mechanisms to recognize and address students' evolving expectations, Nigerian administrators have yet to fully embrace this responsibility, resulting in a governance gap. Drawing on insights from the Nigerian Universities Commission's Needs Assessment of Public Universities, this research examines whether students' expectations in Nigerian institutions are protectable and how administrators can effectively respond to them. The findings reveal a dominant "inside-out" administrative mindset, where decisions are made based on assumptions rather than students' actual needs. The study advocates for a shift towards a "context-specific outside-in" approach, urging administrators to systematically engage with students to identify their real concerns and tailor institutional policies accordingly. By adopting and adapting proven global best practices, Nigerian university administrators can foster more responsive governance that enhances student rights, academic outcomes, and graduate employability, thereby contributing to the overall advancement of higher education.

Key Words: Higher Education Administration, Legitimate Student Expectations, Context-Specific Solutions, Nigerian Universities, Student-Centered Governance.

Introduction

The paper explores the global role of administrators in institutions of higher education in protecting students' legitimate expectations using the Nigerian public university system as a case study. The focus on public universities is premised on the Nigerian Universities Commission Committee Report on 'The Needs Assessment of Nigeria Public Universities'.¹ What resonates from the Report is crucially, whether students in higher institutions of learning in the Federal Republic of Nigeria, as 'persons' or 'citizens', are entitled to legitimate expectations, and if so, do administrators have a role in safeguarding these expectations within the educational setting? (Imoedemhe, 2025) These questions are critical following observations of the near total abandonment of the obligations, of higher education authorities to students, which constitute their rights within the educational setting. (Atanaw, Estifanos & Negash, 2025), highlights how governance structures and administrative practices influence education service quality, which is closely tied to students' expectations of service, support, and institutional responsiveness. In this same vein, (Ekundayo, Bamikole, & Afolabi, 2023), argues that university administrators are central to upholding students' legitimate expectations of fair and transparent assessment.

¹ Nigeria Universities Commission (NUC) Report, the 'Committee on Needs Assessment of Nigeria Public Universities' dated 19August 2012, 9.



Authorities of public universities in Nigeria appear not to recognize that students have legitimate expectations, desirable of protection. Evident is the case of *University of Ilorin v. Adesina*,² where authorities of the university reneged in releasing the final academic results of the student, notwithstanding, that the student had complied with the directives following recommendations of an administrative committee report, and also the internal appeal processes, stated in the university regulations.

On a wider scale in Nigeria, the judiciary inclusive, the conceptual approach to issues of legitimate expectations, is very vague. In *Chima v. University of Benin*,³ the court rejected the application of some students. The students had sought the protection of the court to reinstate their studentship, following their rustication from school as a fallout of a protest against the non-provision of suitable lecture theaters by the institution, for study. The court took no notice of the interests of the students, the pivot of the relationship between the authorities and the students, following reliance of students on the institution's promises and assurances to provide them with suitable study theaters. This position is not substantially different from the decision in *University of Ilorin v. Oluwadare*,⁴ where the Nigerian Supreme court ruled, among others, that studentship⁵ is not a right under the Nigerian Constitution. It is argued, a cursory consideration by the courts of the appropriateness of protecting the expectations of students within the educational setting, would in the least, advanced the development of the concept in the Nigerian administrative justice system (Nwauche, 2007). These views underpin the advisory by Agube, JCA in *Adesina* case,⁶ that, Nigerian courts should not be 'timid' to exercise their powers when students' rights are violated by university authorities. The furora of the non-recognition and judicial reticence is further exacerbated by the scarce academic literature and writings, aside the tangential works of Chianu (2007) and Ojo (1990) on this subject of legitimate expectations in Nigeria. It becomes crucial, more than ever before, to review the roles and contributions higher education administrators would introduce into the efficient coordination of institutional policies for realization of optimal results, by effectively safeguarding and ensuring the fulfilment of the promises, assurances and policies that institutional authorities make, particularly to students. Ensuring their protection, will provide the necessary base and atmosphere that make teaching, learning and research possible and enjoyable. It is argued administrators can use transformational leadership, technology, and agile methodologies to better respond to stakeholder, including students' needs and expectations, especially in challenging contexts (Mpuangnan, & Roboji, 2024). Where higher education administrators neglect in stepping in by taking responsibility of safeguarding these expectations, the aspirations of the students will not only be compromised and not fulfilled, the institution maybe disparaged, it may suffer ridicule, disrepute and public odium, and such actions could also adversely affect the funding of the university in varying form.⁷

What is now a global occurrence is that the expectations and experience of students in higher education have not only increased but changed dramatically over the last three decades (Tricker, 2003). These expectations are now of greater complexity and a different order to those which might have applied in the past. Universities now found themselves being pushed on the one hand to respond to mounting students' expectations while on the other hand there are fears that the fundamental purpose of higher education could be distorted or even lost if institutions go too far in the direction of placing higher education on a commercial scale (Tricker, 2003).

²(2010) 9 NWLR (Pt.1199) pp. 386-387, the Court of Appeal unturned the decisions of the university and the lower court. After an investigative panel report into a students' demonstration, the student herein fulfilled the recommendations for her recall to school, The authorities however refused to release her academic results thus denying her the opportunity to graduate among other things she suffered.

³(1997), Vol. 2, Nigerian Public Interest Litigation Reports (NIPR), (2002), 454.

⁴ (2006) 14 NWLR (Pt.1000), 51.

⁵ *ibid*, 757.

⁶*Adesina*, (fn. 2) 340.

⁷Alumni and major donors frequently pause or withdraw contributions when the institution appears irresponsible or unethical

There is therefore the need to learn from the others. This paper provokes thoughts on what constitute the ideal, and purpose of higher education, and whether administrators can effectively contribute to improve administering and governance in higher institutions in Nigeria, geared towards protecting the legitimate expectations of students. Also, the paper serves to awaken administrators to be aware of the principles enunciated in the legal concept of legitimate expectations which is simply about getting public authorities to do what they said they would do. This legal philosophy was propounded by Lord Denning, Master of Rolls, in the case involving *Schmidt v. Secretary of State for Home Affairs*.⁸

The application of the principle in the concept which is to practically safeguard expectations of individuals when public institutions contemplate or renege from earlier assurances, is now prevalent in United Kingdom Higher Education,⁹ both as a matter of law and practice (Craig, 2012).

The desirability to protect expectations arising from the changes universities may introduce from time to time also triggered the creation of the Office of the Independent Adjudicator (OIA) by the UK Parliament. The purpose is to provide an independent, transparent scheme under the Higher Education Act 2004, to review complaints by students arising from the acts and omissions of a university.¹⁰ The OIA has the prerogative after consideration of such complaints, to do the following:

Refer matter back to the university for reconsideration, request a university to obtain promised accreditation for a course, ask a university to provide a fresh assessment opportunity, request that work is remarked, recommend a review of university policies/procedures and staff training, ask a university to apologize to a student, give a student the opportunity to return to a course, offer mediation between university and student.¹¹

The emphasis is for university authorities to protect the expectations of students by applying the principles of natural justice in administrative processes, particularly in exercising disciplinary powers, whether in a contractual or statutory context.¹²

The concept now has substantial application in the Australian and New Zealand administrative laws (Hlophe, 1987). It has been judicially recognized by India's administrative justice system, paving way for the development of a broader and more flexible doctrine of fairness.¹³ Under German law, the specific protection of trust reposed in the assurances given by public officers played a significant role in the development of the concept of legitimate expectations (Forsyth, 2011). It has been successfully incorporated into South African law, where claims based on the existence of legitimate expectations are now automatically a constitutional claim for the enforcement of fundamental human rights.¹⁴ This is also the experience in India where the judiciary has so expanded the application of the concept in

⁸(1969) 2 Ch. 149 established actions of public authorities which constitute legitimate expectations are now actionable in law.

⁹ UK Higher Education White Paper, 'Putting Students at the Heart of the System'. (2011), 2.

¹⁰ See <http://www.oiahe.org.uk> accessed 9 August 2015, particularly Rule 6.4, OIA Scheme Rules. Subject to the right of appeal for judicial review, the OIA Scheme is intended as an informal alternative to the courts. See Higher Education Act 2004. See, www.oiahe.org.uk accessed 25 June 2017. See T. Endicott, *Administrative Law* (Oxford: Oxford University Press, 2009), 495-496.

¹¹See OIA's approaches to remedies and redress, www.oiahe.org.uk, accessed 26th November 2025

¹²The student must first complete the university's internal processes and obtain "a completion of procedures letter". See also <http://www.oiahe.org.uk/decisions-and-publications/public-interest-cases/procedural-issues-January-2015>, accessed 26th November 2025

¹³*Navjyoti Coop. Group Housing Society v. Union of India* (1992) 4 SCC pp. 477, 494. India Supreme Court of India affirmed concept allowed aggrieved party, right to seek judicial review.

¹⁴Concept first applied in *Everett v. Minister of the Interior*, Vol. 2 SA, (1981), 457 See s. 24(b) of the Constitution of the Republic of South Africa, Act of 1993 states, 'every person shall have the right to procedurally fair administrative action where any of his or her rights or legitimate expectations is affected or threatened'.

review of administrative actions of public authorities to the extent that legitimate expectations have attained the status of a guaranteed and justiciable legal right in practice.¹⁵

In Nigeria, the concept is almost administratively unknown, needless the effort to protect failed expectations within the university settings. It is also not frequently mentioned in judicial decisions and indeed undermined as exemplified in the *University of Ilorin v. Oluwadare*.¹⁶ It is trite, a legitimate expectation does not confer an independent enforceable right in itself, yet, it is enforceable.¹⁷ This trajectory, has in no small way, affected the role, process rights ought to play in the administrative system in Nigeria.

One obvious area where authorities of higher institutions make the most promises and commitments is in respect of the expectation's students derive within the university setting. It is the role of administrators in higher education, as promoters of content-specific solutions, needed to fulfil student's expectations and experiences, that form the fulcrum of this research. The outcome, it is envisaged, will enable higher education institutions to effectively provide the needed support services, mentorship that will make students gladly co-operate, participate, and abide by university rules without coercion; assured that the authorities will always strive to meet its obligations. The synergy derived from this understanding will not only heighten existing trust between the higher institution's authority and the students, it will reduce the cost of administration and enhance its effectiveness and efficiency.¹⁸

Learning from Others: Lessons for University Administrators

The quest by students for the realization of their expectations and experiences within the institutional precepts has, overtime, increased globally. This is accounted for by the significant fallout from their financial contribution in the chain of making certain services available to them by higher education authorities. Reflecting on how students' expectations have drastically changed in the past thirty years, Tricker (2003) noted that in the 1970s, a student at the university only expected a place of scholarly reflection and learning, to obtain a degree, enhanced employment prospects, support by government funding, teacher student relationship to be one sided, very few expectations of teaching quality, and no concept of expectations of other stakeholders. The 1980s and 1990s on the other hand, experienced a more heightened change in students demand in Europe; the introduction of tuition fees led to students acting like customers (Tricker, 2003).

Davies (2002) argued that students' expectations rose to an all-time high to include demand 'for flexibility and choice in the delivery of education, access to cutting edge technology, a two-way communication process between themselves and with the university, to be consulted about the learning experience, demand for accurate information about their courses, assessment and complaints processes, and honesty with respect to whether their needs can be met or not'. This demand change was exacerbated by government demands for students to contribute to their education.

The resultant consequence of students increased assessment of the quality of educational experience offered by the authorities of higher education institutions, made bridging the gap between what students expect and experience, an essential responsibility of the institutions and their administrators. Arguably, by controlling the student learning environment, higher education has been successful in bringing more in line with student experiences and expectations (Tricker, 2003). This was

¹⁵ *State v. W. B. Niranjan Singha* (2001) 2 SCC 326, Court affirmed that legitimate expectation is based on the principle of arbitrariness as provided in Article 14 of the Indian Constitution.

¹⁶ (2006) 14 NWLR 751

¹⁷ The right to education is guided by section 18 of the CFRN 1999, as amended, which provides that government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels. The Constitution does not provide for the right as a basic right. It is categorized under Chapter II, that is, the FODPSP, which by virtue of s. 6(6) (c) of the 1999 CFRN are not justiciable.

¹⁸ This aligns with the view that where economic operators are able to rely on public authorities' representations, the cost of information gathering would be reduced and most efficient allocation of resources would occur. On the other hand, when representations are protected, public authorities would be less inclined to give advice on public policies, thus causing an increase in transaction cost and inefficient allocation of decision.

achieved by changing curriculum design to enhance employability, more flexible provisions, improvement of teaching quality, student support and greater transparency.

Higher educational authorities traditionally adopted the ‘inside out’ approach in the management of students’ expectations and experience. By this approach, higher education authorities assume they know what students expect and want from higher authorities, thus discountenancing students’ inputs (Sander, Stevenson & Coates, 2000). The better view to step up the management of student’s expectations, is to adopt the ‘outside in’ approach. This approach focuses attention on identifying where gaps are, between the students experience and expectations. Administrators must integrate students’ voices into strategic planning and policy formation to align institutional practices with student-perceived value (Işık, 2024). Identifying where such gaps exist, not only gauges the overall level of satisfaction, but reveals specific areas where improvements can be made to raise the level of students’ satisfaction and therefore the success of the service offered (Sander et al, 2000).

Overall, the fact that students are now globally obligated to undertake certain responsibilities in the provision of their services by higher education authorities is enough reason to pay closer attention to their legitimate expectations and experiences. However, in Nigeria, where gaps are inherent and government essentially fund the greater part of higher education, does not derogate the fact that higher education authorities should ignore the protection of students’ legitimate expectations and experiences. After all, studentship in Nigeria is based on students relying on the assurances, promises, and policies published by university authorities in their various marketing documents to public. This underlines the principle in the public law concept of legitimate expectation which advocates and makes actionable undertakings by public authorities and amplifies the relevance of higher education administrators as promoters of content-specific solutions.

In discussing the increasingly complex relations of managing students’ expectations and experience in the university, cognizance must be taking of the various terms already mentioned within context. These terms are student, university, university administrator and legitimate expectations.

Student

The term, student connotes different definitions in the various Laws establishing each university in Nigeria. This implies that it is the statute establishing each university that defines who a student of that university is (Akhavue, 2014). For instance, the Obafemi Awolowo University (Transitional Provisions) Act,¹⁹ refers to a student as ‘a person who has been registered as a student of the university during a current academic year for a first or higher degree, diploma, certificate or such other qualification of the university as may be approved by the Senate as qualifying a person for the status of a student’.²⁰ Under the University of Benin (Transitional Provisions) Act,²¹ a student includes ‘an undergraduate or any person of such description as maybe prescribed for the purposes of this definition’.²²

University

The term, ‘university’ is derived from the latin word, *universitas magistrorum et scholarium*, meaning a community of teachers and scholars.²³ According to Inyang (2010), ‘a university is an institution of higher education and research which grants academic degrees in various subjects, and typically provides undergraduate education and post graduate education’. Abak (2014) defined the term ‘university’, as a citadel of learning which confers degree from Bachelors to Doctor of Philosophy in all areas of educational endeavors.

¹⁹ Obafemi Awolowo University (Transitional Provision) Act, Cap 02, Laws of the Federation, 2004, s.2.

²⁰ *ibid*, s.2.

²¹ University of Benin (Transitional Provisions) Act, Cap U4, Laws of the Federation, 2004, s.2

²² *ibid*, s. 2

²³ *Encyclopedia Britannica*, 11th Edition, 1911.

The term university, like the student, is rather presumptive. Therefore, since ‘the university’ is viewed from the perspective of Nigerian universities, reference to the term will be from the context of the university statute or law creating it (Inyang, 2010). For example, under the Federal University of Agriculture, Abeokuta, Act,²⁴ University means any of the Universities of Agriculture established under section 2 of the Act.²⁵ In this paper, the university is referred to as an institution of higher education, whether established by the Federal or State government, that engages in teaching, research and community service, and grants degrees to students, depending on their categorization.

University Administrator

The word ‘administration’ generally connotes, ‘the management of the affairs of an organization or institution’. ‘Administrator’, on the other hand implies a person whose job is to manage and organize the public or business affairs of an institution, amongst others (Obeki, 2012). However, unlike the administrator in the private or public service, who indulges in the act or practice of carrying out a policy, a university administrator is a person that manages ‘a complex mix of individuals’.²⁶ It is argued, the university administrators lead policies, policies do not lead them blindly.²⁷ Illustrative of this point is the debate leading to the enactment of ‘The Universities (Miscellaneous Provisions) (Amendment) Act’, 2012, to correct the erroneous impression, amongst other issues, created by two Federal Civil Service Circulars that Directors or such other persons in the Nigerian universities are to retire after serving the tenured period as their counterpart in the Civil Service.²⁸ This Act nullified the Circulars as inconsistent and void. In the university, a ‘policy is viewed as germane and genuine only as the ‘trinity’ of the intellectual community sees it’. Trinity here refers to the students, teachers and the administrators (Iloeje, 2004).

By virtue of the Statutes and Laws establishing each university, the Chief Administrator of the University is the Registrar who is responsible to the Vice Chancellor for the day-to-day administration of the University. By virtue of the office, the Registrar is the Secretary of Council, the Senate, the Congregation and the Convocation.²⁹ It is germane to mention ‘the Registrar is not an administrator in the same connotation as the Faculty Dean. The Registrar is appointed to *administer*, whereas the Dean is first and foremost appointed to teach and conduct research and is only called upon now and again to take on administrative duties and only of a particular nature’ (Okudu, 2010). Can the Deans therefore be referred to as university Administrators for purposes of ensuring that university assurances are not ossified? It is argued that though the issue of academic administrators is not the focus of this paper, they are administrators in that sense for the purposes of fulfilling legitimate expectations.

The responsibilities of the Registrar underpin the roles of university administrators. This is because the Registrar is not just the chief administrative officer of the university; the Registrar is the custodian and trustee of the promises, practices and policies of the university. As staff of the Registrar’s office, administrators must therefore be cautious of their acts, as every of their roles would definitely impact on the integrity of the office of the Registrar, both in the eyes of the students, the teachers and visitors to the university.

²⁴ Federal Universities of Agriculture Act, s. 29.

²⁵ Obafemi Awolowo University Act, s.2 where the term ‘university’ mean, Obafemi Awolowo University, Ife, established and incorporated by s.3 of this Law’. In University of Ilorin Act, Cap.U17, Section 26, ‘university’, mean the University of Ilorin as incorporated and constituted by this Act.

²⁶Who are either students or students between the ages of 17years to 70 years? See Iloeje, M.U., ‘University Administration and Management: The Nigerian Experience’. Stutzen Books, Inc. 2004 at 53

²⁷ *ibid*, 54.

²⁸ This Amendment Act declared the Head of the Civil Service of the Federation Circular No. HCSF/061/S.1/III/68 of August 26, 2009, titled: ‘Tenure of Office for Permanent Secretaries and Directors’, and, Circular No. HCSF/061/S.1/III/68 of October 21, 2009, titled: ‘Applicability of Tenure System to Parastatals, Agencies and Statutory Corporations of Government’, as inconsistent with the laws and statutes of the Universities within the meaning of Section 2AA of The Universities (Miscellaneous Provisions) (Amendment) Act 2003’, otherwise, ‘The Universities Autonomy Act No.1, 2007.

²⁹ University of Ilorin, Cap. U7, First schedule, Section 6 for the definition and functions of the Registrar

Legitimate Expectations:

As a concept under public law, legitimate expectations mean the expectations that have arisen from the promises, practices and policies made by a public authority (Imoedemhe, 2025; Perry & Ahmed, 2014). Public authorities in this sense, include public universities in Nigeria.³⁰ Legitimate expectations refer to the promises, practices and policies otherwise, non-legal rules,³¹ university authorities in Nigeria make to students, and which the students rely on. These rules constitute the various codified university documents. They include; University Rules and Regulations, Students handbooks and Bulletin, Faculty handbooks, Circulars, Brochures and Examination and Ethics Regulations. Where a rule made by the university is unequivocal and clear that the student relies on it, it becomes reasonable or legitimate for a student not to be disappointed by the failure of the university to deviate from the assurance, except on grounds of overriding public policy.

What are these promises, practices and policies university authorities make that constitute student's legitimate expectations? Promises are simply the representations that university authorities make to students.³² They form part of the non-legal rules and regulations of the University. They trigger the application of the rules. Keeping promises underpins the trust that exists between the university authorities and the students. In order not to disappoint the trust, university authorities always ensure these rules are kept by all. For example, in *Thomson v. University of London*,³³ London University refused to be bound by a wrong interpretation, previously given by the Board of Examiners. Also, in *Olssen v. Board of Higher Education of the City of New York*³⁴ where a Professor misinformed student on examination rules, the Court decided in the students favour. In Nigeria, the Supreme Court held in *Stitch v. Attorney-General of the Federation and the Board of Customs and Excise & Ors*³⁵ that a clear and unequivocal promise or representation generates a legitimate expectation.³⁶

Practices are the prevailing practices in the university. They are somewhat of non-legal nature, and because they constitute the usual practice or norm in the university, it becomes difficult for university authorities to deviate from them. In explaining this principle, Chainu (2007) argued that where an employee is able to prove that a modicum of procedural fairness has been applied in favour of some employees, legitimate expectation demands that the practice should be applied equally for the benefit of others.³⁷ In the same vein, where students rely on such prevailing practices, nothing would be worse in a university community, if the university authority decides to renege from that practice unilaterally or, if the grievance of one student is dealt with in one manner and a precisely similar grievance of another student is dealt with in another manner. It is improper for university administrators to apply the 'palm - tree Justice' (Chainu, 2007). This implies the attitude of picking and choosing on subjective grounds.

Unlike promises and practices that are described as non-legal rules, policies in themselves are rules.³⁸ Policies are developed by public authorities when exercising their discretionary powers. A legitimate expectation can arise where a particular policy exists which the student has relied on (Craig, 2012). If a policy is publicized, which is usually the case, university authorities cannot deviate from it. Examples are policies relating to students' welfare, protection from injury or admission. In a particular matter, a Nigerian Court, after consideration of an application where the university wanted to renege

³⁰ As noted earlier, the protection of the legitimate expectations of students is relevant in private universities.

³¹ A principle propounded in *The Coherence*. *ibid*. They are non-legal because they are enacted within the university setting unlike Laws and Acts of State and Federal Legislature

³² A promise is a non-legal rule that generates a legitimate expectation which can bind the university in the exercise of its discretion. See, *The Coherence*, 6

³³ *Thomson v. University of London* (1864) 33 L.J. 625 (Ch.)

³⁴ *Olssen v. Board of Higher Education of the City of New York* 412 N.Y.S 2d 615 (app. Div. 1979)

³⁵ *Stitch v. Attorney-General of the Federation and the Board of Customs and Excise & Ors*. (1986) 5 NWLR (Pt. 46) hereinafter, *Stitch case*

³⁶ *ibid*, 1007.

³⁷ This, according to Chianu, is the substratum of the concept of legitimate expectation.

³⁸ *Coherence* 8.

from its admission requirement published in JAMB Brochure, held that the Authority of the University cannot deviate from its policy of admission which it has published to the whole world.

How do university authorities make promises, practices and policies, and from where do the universities derive their authority to make them? Here, reliance is placed on Oshio (2011) taxonomy, where he opined universities in Nigeria are creatures of Law. It is trite that each Federal and State university is established by an Act or a Law enacted by the Federal or State legislature (Oshio, 2011). The Legislation that provides Legal framework for each university in Nigeria are, the enabling Law that established each University, and the various Universities (Miscellaneous Provisions) Amendments Acts.³⁹ As at today, the Amendments Acts currently in existence in Nigeria are five. These are; Amendment Acts Nos. 11, 55, 25, the Autonomy Act of 2003, and the 2012 Amendment Act that deals with the Directorate System. The enabling Law of each university and the various Amendment Acts specify the powers, functions and responsibilities of each university, the constituent bodies and functionaries of the universities.⁴⁰ It is from this Legislation that Universities derive their authority to make the promises, practices and policies that constitute the commitments of the University to the Students.⁴¹

On the question, how do university authorities make the promises, practices and policies? The powers, functions and responsibilities of the constituent bodies of the university are specified by the enabling Law of each university. These bodies include the Council, Senate, Congregation and Convocation.⁴² In the course of exercising their discretionary powers pursuant to their statutory obligations, university constituent bodies formulate rules. These rules make up the promises, practices and policies that guide the conduct of students.

When explained differently, these constituent bodies act through delegated legislation, based on the committee system. The deliberative and adjudicative functions of the committees are anchored on institutionalized rules of these University bodies.⁴³ These are the non-legal rules, because, as noted earlier, they are rules enacted within the university setting, that is, by the constituent organs, with the most prominent of them, being the Senate of the university. It has been argued that these rules represent the specific ways the university, as a public institution intends to act.⁴⁴

Whose responsibility it is to ensure that the representations made by the university, particularly, to the students are fulfilled? It is argued, the responsibility ought to fall squarely on the three tiers of the university system, that is, the administrators, teachers and the students. This viewpoint is premised on the 'joint ownership' philosophy, for instance, embedded in the drafting of the University of Benin Strategic Plan.⁴⁵ The Plan underscores the recognition that the university is a community of scholars, students and other staff, with common interests and shared values.⁴⁶ Therefore, it is argued that the responsibility to fulfil the promises, practices and policies of a university, are of common interest to all.

³⁹ The enabling Law of each university which established it, and, (i) The University (Miscellaneous Provisions) Act No. 11, 1993; (ii) The University (Miscellaneous Provisions) Amendment Act No. 55, 1993; (iii) The University (Miscellaneous Provisions) Amendment Act No. 25, 1996; (iv) The University (Miscellaneous Provisions) Amendment Act 2003 (The Universities Autonomy Act No. 1, 2007 and (v) The University (Miscellaneous Provisions) Amendment Act 2012

⁴⁰ These include the Council, Senate, Congregation, Convocation, Vice Chancellor, Registrar, Bursar, The University Librarian and Statutory committees

⁴¹ See, The University of Benin Act

⁴² *ibid*, Second Schedule

⁴³ University Committees functions in line with the rules and regulations, practices and policies set out by the University Organs, with the most prominent being the Senate, Section 10, University of Benin Act.

⁴⁴ Perry, A., and Ahmed, F. (2014). The Coherence of the Doctrine of Legitimate Expectations. *The Cambridge Law Journal*, Vol. 73, 1.

⁴⁵ See the preamble of the University of Benin Strategic Plan 2002-2012 (page v) hereinafter, Uniben Plan

⁴⁶ *ibid*, 27, however, the term, 'other staff' in s.2 of the Obafemi Awolowo University Act 2004 refer to those persons in the employ of the university who are not members of the academic or the administrative staff.



Arguing this point from another perspective, Olanikpekun (2015) noted the responsibility for the moral issues bedeviling universities in Nigeria today must be placed at the door step of the government, because some of these problems are the direct offshoots and consequences of government's neglect of the educational sector. The scholar recognized that though many may fault the lack of adequate funding and competent hands as the casual factors for 'the dearth of discoveries and inventions' in our universities today, he acknowledged the reasoning of Terry Eagleton,⁴⁷ canvassed by the author, that the decadence;

...will not change ... simply by increasing state funding of the humanities as opposed to slashing it to nothing. We will change it by insisting that a critical reflection on human values and principles should be central to everything that goes on in universities (Olanikpekun, 2015).

University stakeholders may appear stupefied with the way things are in Nigerian universities, but Eagleton's view amplifies the fact that meeting the obligations of a university is not dependent on government funding per se, it is more often than not, a function of collective responsibility. university administrators share in that responsibility.

On the importance of university rules, Oshodin (2011) opined,

...realizing the complex nature and setting of the University system which could, at times, appear bewildering to freshmen and fresh women, this Brochure which contains essential information, has been put together to assist your adjustment to the University environment. I enjoin you, therefore, to read it carefully, and keep it for constant reference.

Essential information in this statement underpins the bedrock of the understanding between the university and the students, more importantly, as students put their trust in the administration with the expectation that they will do what they have assured. This is so important that it superintend the conduct of students, serve as bases for the evaluation of their actions' (Shapiro, 2011), and also act as control of administrative discretion (Davies, 1996). In a sense, they are a sort of contract between the university and the students. Vicariously, they also constitute a contract between the university and the parents, guardian or sponsors of the students who are responsible for the payment of their tuition and accommodation fees as well as their personal expenses.

What then are the roles of the administrators in protecting the legitimate expectations created in the students as a result of these essential information or rules published to the students? Iloeje (2004) following Obayan (2010) had this to say:

... a good university administrator must not be seen as an efficient bureaucrat, but also as a caring guardian. He must possess the tact of human relations, the intricate knowledge of all the regulations and the administrative machinery, the gifts of fairness and even-handedness peculiar to a good law-enforcer who is a guardian angel, and the dexterity of balanced judgment and accuracy of decision-making.

Roles of Higher Education administrators

Higher education administrators play a crucial role in shaping the educational landscape, and their responsibilities can vary widely depending on the country, institution type, and cultural context. However, from a global perspective, their roles generally include several core functions, all of which contribute to the development, implementation, and management of academic, operational, and strategic initiatives within institutions. However, from the perspective of protecting the legitimate expectations, university authorities in Nigeria create in students, the following roles are discussed:

⁴⁷A British Literary theorist and Professor of English Literature at the Lancaster University in the United Kingdom



1. To Uphold the Trust Element in the University System

What the author considers the 'noble' role of higher education administrator is upholding the trust students repose in the university authorities following the undertakings and assurances such authorities give to the students. To live is to trust.⁴⁸ The trust-keeping role is more than relevant in an administrator's capacity as a trustee, confidant, mentor, or one *in loco parentis* capacity to the student. The university administrator deals with a mixed complex group of people; therefore, their assignments transcend every department in the university community, either as managers, desk officers or as frontline staff. In these capacities, their place of trust-keeping is more than better imagined. Forsyth (2011) argued trust in administration should be guarded to the end, for 'without trust, we cannot stand'. Do students really trust Administrators? How best can certain hostile manner of communication, admission frauds, examination racketeering, withholding of services, defilements of female students be perceived?⁴⁹ It is argued that when the trust relationship is handled rightly by administrators, it will encourage the students to participate in decision-making process, to co-operate with administrative initiatives and to comply with administrative regulations without coercion (Schonberg, 2000). This will in turn improve the administration's ability to solve co-ordination problems, and thus make the exercise of authority by the university easy, enjoyable and more legitimate. The place of trust in our public actions is vital.⁵⁰

2. To Ensure Certainty and Predictability of University Rules

The Administrator should be able to sustain university rules to ensure certainty and predictability to students. The 21st century, has witnessed students' rights becoming more sacrosanct than ever before. Higher education should be administered in accordance with the law, not only in relation to the laws and statutes creating the institutions, but also in the area of ensuring certainty in the rules and policies such institutions' authorities enact. By this, students will be able to plan their lives, secure in the knowledge of the legal consequences of their actions (Craig, 1996). Sustaining rules helps students and even parents plan, and to make decisions relating to their future.

Many administrators may feel this is not possible within the university system. It is argued that it is possible. If higher education administrators in Nigeria work collectively, it can ensure that rules are accessible and reliable. When institutions accord due diligence to student's affairs during their studentship, it in turn translates to their future output as respectable citizens.

Administration of higher education has risen beyond the state when the product of academic operations was limited to students' enrolment, small budgeting and narrow curriculum. Oyeade (2011) noted correctly, that over time, administrative simplicity has fallen victim to the expanding and ever-changing demands of higher education. In this vein, who then manages the chaotic aftermath, the enlarged students' enrolment, paper work, budgeting, physical facilities, instructional facilities, coordination of halls, and so on in the university setting? Is it the teacher or the administrator? Students usually expect that these responsibilities fall on the administrator. Whether this view is correct is however a matter for the administrator to decipher. It is however a truism that the era in which students need not worry if results would be published in due time, whether lectures would be held as scheduled, or project works and other assignments would be read, corrected, marked and returned on time, are gone. Udombana (2010) argued, the decline in the quality of service could be a manifestation of a failure to enforce applicable laws and regulations within the University system. The author asserts this should be a matter of serious concern for the university administrators.

⁴⁸ See Amplified Bible, Hebrews 12:2 (King James Version) - looking unto Jesus, the author and finisher of our faith.

⁴⁹ *Emphasis mine*

⁵⁰ See speech by the President and Commander of the Armed Forces of the Federal Republic of Nigeria, Gen. Muhammadu Buhari on October 1, 2015. Nigerian Vanguard Newspaper, dated 2nd October 2015.

3. Administrators as Agents of Fair and Equitable Practice

One of the drivers of today's world is the notion of fairness and equity in the treatment of all. This resonates in Iloeje (2004) opinion that a good university administrator should possess the 'gift of fairness'. Fairness as a principle of fair administrative practice means that the interest of a person should not be neglected in a decision-making process. Therefore, where a university is presumed to have wrongly neglected the interest of a student in making a decision, it may be regarded to have acted unfairly. Do university administrators indulge in selective practice? How well are administrators disposed to allowing students to present their matters, whether disciplinary or otherwise?

Notwithstanding the various accounts that appear to inhibit the university administrator from acting honestly and fairly, best practice standards require that the place of integrity and good conscience should not be sacrificed on the altar of such narratives. Forsyth (2011) argued that because of the trust which individuals place on public administrators, it will not be fair not to hold such administrators to account when a legitimate expectation is neglected.

4. Administrators must Prevent Harm to Students

The Advanced Learners Dictionary defines 'harm' to mean 'damage or injury that is caused by a person or an event' (Schonberg, 2000). Harm, encompasses emotional, psychological or physical pain. The argument that one of the roles of the university administrator is to prevent harm to the student is linked with the notion of certainty and predictability in the actions of university authorities. This ignites the reliance principle of legitimate expectation. The reliance principle argues that legitimate expectations should be protected because to do otherwise would inflict harm on individuals who rely upon such expectations (Schonberg, 2000).

How can one explain the agony of students in Nigerian universities, the agony of disappointed young female students from trusted university administrators, agonies of both students and parents from unchallenged protracted stay in the university beyond set dates, who takes the financial pain of paying rents repeatedly in rented apartments during these periods, the wasted years, the possibilities of post-graduate admission opportunities in foreign universities that seem to be lost, the frustrations that lead students to joining cult groups, the pain of the physically challenged students,⁵¹ the agony of parents who do not have opportunity to complain but to wish that things were done right?

As administrators, the ultimate end of our disciplinary disposition to students should be to reform and not merely to punish. No wonder, Olanipekun (2015) advocated for 'suspended expulsion' instead of 'outright expulsion' in students' disciplinary cases. Except administrators up their game, they will, very soon be likened to the aging dinosaurs, waiting for extinction from the Nigerian higher education system.

The Nigerian Supreme Court in the case of *University of Ilorin v. Oluwadare*,⁵² was of the view that studentship is not per se a right recognized by our constitution; however, students have rights within their academic community. Students' freedom of study, entitles them to some rights (Inyang, 2010). In *Tinker*,⁵³ the US Supreme Court established, students in school or out of school are 'persons' under the United States constitution and as such, they do not forget their constitutional rights as citizens at the school-gate. What these portend is that there is a service to be rendered. Thus, portend the ideal. Can administrators argue that the various universities motto in Nigeria signify their respect for students' expectations? For example, Ambrose Alli University's 'Knowledge for Advancement',⁵⁴ University of Calabar, 'Knowledge for Service',⁵⁵ University of Agriculture, Abeokuta, 'Knowledge for Development',⁵⁶ and Obafemi Awolowo University, 'For Learning and Culture'.⁵⁷ Hyer (1913) cautioned,

⁵¹ See, University Strategic Plan, 2002-2010, paragraph d (ii), 30.

⁵² *ibid*, 51.

⁵³ *Tinker v. Des Moines Independent School District* 89S.Ct (1969) 733

⁵⁴ Ambrose Alli University, Ekpoma

⁵⁵ University of Calabar

⁵⁶ University of Agriculture

...the first duty of the university is to the individual students who come to it for instruction. If it does not adjust and adapt itself to his personal needs and render him the greatest possible service it renders no service to humanity in general.

Students are not in the periphery of activities in the institutions, but actually form the core. Managing them require efficient administrative processes, responsive to changes, challenges and sensitive to their expectations.⁵⁸ Igbinovia (2003) asserts, 'the university ... has a responsibility to nourish itself and to grow'. To nourish, simply means 'to develop' or 'grow stronger' (Igbinovia, 2003). Therefore, as stakeholders, university administrators have a key responsibility to nourish to fulfillment, the assurances university authorities give to students pursuant to their statutory obligations.

This paper is not suggestive that students are above the law. By training, students are meant to be responsible citizens. Where they decide to be law-breakers instead of being law-abiding, they deserve to be punished like any other ordinary citizen of Nigeria (Ojo, 1990). It is not also to box higher education administrators but to think and act outside the box, particularly now that the structural constraints in the exercise of administrative duties in today's universities is overwhelming.

The days when it is felt that students are so immature that they could not be made to serve on university committees are gone. Ojo (1990) argued, 'in order to advance the lot of the students in university management, students should have representations in University Senate and Council and on all those Committees of Council and Senate that cater for their interest'.⁵⁹ The trend has however improved with the amendments advanced in the 2003 Universities (Miscellaneous Provisions) (Amendment) Act,⁶⁰ Section 7AAA of the Act provides that students shall:

- (a) Be represented in the University's Students Welfare Board, and other committees that deal with the affairs of Students;
- (b) Participate in various aspects of curriculum development;
- (c) Participate in the process of assessing academics staff in respect of teaching; and
- (d) Be encouraged to be more self-assured as part of the national development process.

This provision appears to have been tangentially applied by university authorities in Nigeria, it is however a right step in meeting students' legitimate expectations. This trend is prevalent in the United Kingdom, Europe and the United States of America where students do not only participate in students' affairs governance but also in certain aspects of governing, teaching and learning as well as institutions-wide strategy and planning (Luescher-Mamashela, 2010).

The author argue Nigerian universities can strengthen an outside-in administrative model advocated in this paper by introducing practical mechanisms that enhance transparency and accountability. One example is the adoption of a comprehensive *Student Bye laws or Code of Conduct* that specifies clear service-delivery standards, such as processing transcripts within 10 working days, acknowledging complaints within 48 hours, and granting access to academic advisors within 72 hours. This document could also guarantee academic rights, including course outlines released a week before lectures and examination results within three weeks, while outlining student responsibilities for attendance and conduct. This approach serves as a shared reference document, that enables students and administrators to monitor service quality and resolve disputes effectively.

However, institutional challenges which arise within the university settings often inhibit the actualizations of students' legitimate expectations by university administrators. Some of the key institutional challenges include funding constraints, bureaucratic inertia, lack of quality assurance for university programmes, poor administrative leadership style, institutional culture and lack of good

⁵⁷ Obafemi Awolowo University

⁵⁸ For instance, University of Benin Strategic Plan, pp. 27, 49

⁵⁹ This view has been undermined. See the Report of the Commission on the Review of Higher Education in Nigeria, The Longe Report, titled, 'The Higher Education in the Nineties and Beyond' 1991, 140.

⁶⁰ The Universities (Miscellaneous Provisions) (Amendment) Act 2003, otherwise, The Autonomy Act

governance in Nigeria public universities. Since universities are universal and are being challenged globally to respond to these expectation rights of students, it is posited that the Nigerian public universities cannot be exempted from these noble expectations. Presumably, this accounted for the findings embodied in the report of the Federal Government Committee on Needs Assessment (NEEDs Report) of Nigerian Universities.⁶¹

Conclusion

This paper demonstrates that higher education administrators play a pivotal role in safeguarding the “legitimate expectations” of students in Nigerian public universities. Drawing on legal and administrative frameworks, it advocates a shift from a traditional top-down, “inside-out” approach to an “outside-in” model that proactively identifies, engages with, and responds to student needs. By effectively carrying out their responsibilities, administrators not only strengthen institutional trust, predictability, and accountability but also ensure robust protection of students’ rights, including procedural, participatory, regulatory, and fundamental rights. Ultimately, such an approach enhances student welfare and promotes more transparent, responsive, and equitable university governance.

References

- Abak, G. N. (2014). ‘Human Resource Management in the University: The Personnel Unit’, ANUPA Lecture delivered on the 13th April 2014, New Senate Chambers, University of Benin, Benin City.
- Akhabue, D. A. (2014), The Legal Status of a Student in Nigeria University and the Law. *Journal of Social Sciences and Humanities*, (SCSR) Vol. 1, 1
- Atanaw, B., Estifanos, A. B., & Negash, H. G. (2025), *How University Governance Affects Education Service Quality: Insights from Ethiopian Public Universities*. *Frontiers in Education*,9.
- Chianu, E. (2007). *Towards fair hearing for all Nigerian Employees*. Paper presented at the Workshop organized by Faculty of Law, University of Benin and Centre for African Legal Studies, Port Harcourt in Benin, pp. 19, 29.
- Craig, P. (1996). Substantive Legitimate Expectations in Domestic and Community Law. *Cambridge Law Journal*, pp. 304-310
- Craig, P. (2012). *Administrative Law*, (7th edition). London: Sweet & Maxwell.
- Davis, K. C. (1990). Discretionary Justice (1971) in: Baldwin, R., ‘Rules and Government’, Oxford Socio-Legal Studies, Clarendon Press Oxford, 5.
- Davies, S. (2002). *Marketing in Higher Education: Matching Promises and Reality to Expectations, Reporting to Students Expectations*. OECD Report.
- Ekundayo, H.T., Bamikole, O.I., & Afolabi, O.A. (2023) *Integrity and Transparency in Managing Examination in Public Universities in Nigeria: The Role of School Administrators*. *International Journal of Education, Learning and Development*, 11(9), pp 33-45
- Forsyth, C. (2011). *Legitimate Expectations Revisited*. Draft ALBA/BEG Paper, Atlas Chamber,1.
- Hlophe, J. (1987). *Legitimate Expectations and Natural Justice: English, Australia and South African Law*. *African Law Journal*, Vol. 104, 168.
- Hyer, R. S. (2013). The Purposes and Ideals of a University. *The Campus (SMU) medical department annual*. Vol. 1 (1912-1913), pp. 55-59 Available at: http://digitalrepository.smu.edu/president_admin/1
- Igbinovia, P. E. (2003). *The Criminal in All of Us: Whose ox have we not taken?* University of Benin lecture series 71, delivered on November, 27 2003.
- Iloje, M. U. (2004). *University Administration and Management: The Nigerian Experience*. Johannesburg: Stutzen Books, Inc.

⁶¹ The Honourable Minister of Education, Prof. Ruqayyatu Ahmed Rufa'i OON, inaugurated the Committee on Needs Assessment of Nigerian Universities (NEEDs Report) on Tuesday, 21st February 2012. It was constituted in furtherance of government’s determination to address the challenges in Nigerian tertiary institutions and enhance international completeness in manpower and knowledge creation in universities. It is a consolidated Report generated through the analysis of the data submitted by various institutions, as well as reports of verification teams. See preamble to the Report, 5-6.



- Imoedemhe, W. (2025). *The Legitimate Expectations of Students of Nigerian Higher Institutions: Issues, Challenges and Pathway*. (Tetfund Sponsored) Sokoto: Usman Danfodio University Press, 1-296.
- Inyang, E. E. (2010). *Education Law and Administration in Nigeria*. Lagos: Odade Publishers.
- Isik, M., (2022). *Expectations and Level of Satisfaction of University Students from the Higher Education System*. *International Journal of Educational Methodology*, 8(1), 163–178.
- Luescher-Mamashela, T. M. (2010). From University Democratization to Managerialism: The Changing Legitimation of University Governance and the Place of Students. *Journal of Tertiary Education and Management*, Vol. 16, pp. 259-283
- Mpuangnan, K., & Roboji, Z. (2024), *Transforming educational leadership in higher education with innovative administrative strategies*. *International Journal of Educational Management & Development Studies*, 5(2), 27 - 56
- Nwauche, E. S. (2007). Rethinking the exclusive jurisdiction of Nigerian Universities in Academic Matters. *Nigerian Bar Journal*, Vol. 5, Number 1, 1.
- Obayan, A. (2010). ‘The Image of the Nigerian universities in the global context: Administrative perspective’. Paper delivered at the Committee of Registrars of Nigerian Universities (CORNU) Meeting, Onyema Ugochukwu Auditorium, University of Uyo, Uyo, Nigeria
- Obeki, S. O. (2012). *Administrative Skills, Proceedings and Best Practices*. Abuja: Mindex Publishing Company Limited, 1.
- Ojo, J. D. (1990). *Law and University Administration in Nigeria*. Lagos: Malthouse Press Limited.
- Okudu S. J. (2010), ‘The University Administrator’. Proceedings of the First Seminar on Professional Administration in Universities (1976), 26 in: Prof Udombana, N., ‘Contemporary Legal issues in Nigerian Universities’, delivered at the meeting of University Registrars (CORNU) Uyo, Nigeria.
- Olanikpekun, W. (2015). ‘Law and Morality in Tertiary Institutions in Nigeria: Catalysts for National Development’, Being paper delivered at the 7th Registry Annual Lecture at he Federal University of Technology, Akure.
- Oshio, P, E. (2011). *Legal Issues in University Governance in Nigeria*. Retrieved from <https://www.nigerianlawguru.com>
- Oshodin, O. G. (2010). Vice Chancellor, University of Benin, in: Student handbook of information, 2010-2011 Edition, 5.
- Oyebade, F. E. (2011). *Nigerian University System: The Role of Professional Administrators*. Akure: St. Maotex Ventures.
- Perry, A., and Ahmed, F. (2014). The Coherence of the Doctrine of Legitimate Expectations. *The Cambridge Law Journal*, Vol. 73, 1.
- Sander, P. S., Stevenson K. and Coates, D. (2000). University Students’ Expectations of Teaching, *Studies in Higher Education*, 25(3), pp 309-324
- Schonberg, S. J. (2020). *Legitimate Expectations in Administrative Law*. London: Oxford University Press.
- Shapiro, S. (2011). *Legality*. Cambridge, MA: Harvard University Press.
- Tricker, T. (2003). Students’ Experiences – How do we measure up? Unite (2003) students living report, 1.
- Udombana, N. (2010). Contemporary Legal Issues in Nigerian Universities. Being a paper delivered at the committee of Nigerian Universities Registrars Conference, Uyo, Nigeria on October 7, 2010, 11.