

**A CRITICAL ANALYSIS OF INCESSANT INDUSTRIAL
ACTIONS AND THE IMPERATIVE FOR STRUCTURAL
POLICY REFORM IN NIGERIA'S HIGHER EDUCATION
SYSTEM (1999–2025)**

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ABSTRACT: This study critically analyzes the chronic recurrence of industrial actions within Nigeria's higher education system from the return to democracy in 1999 to 2025, with a focus on the Academic Staff Union of Universities (ASUU) and its tertiary union counterparts. The research frames these incessant strikes not as isolated labour disputes but as symptoms of deep, institutionalized pathology rooted in failures of governance and financing. Utilizing Social Contract Theory and Industrial Relations analysis, the paper argues that the crisis is perpetuated by the Federal Government's (FGN) systematic non-compliance with collective agreements, facilitated by its reliance on legally non-binding Memoranda of Understanding (MOUs). The resulting instability has devastating impacts, including severe academic discontinuity, profound psycho-social costs to students, and the acceleration of a high-skilled academic brain drain (the "Japa" syndrome), which jeopardizes Nigeria's future human capital development. The paper concludes by proposing a structural policy shift, advocating for the legalization of collective agreements, the establishment of an Independent Public Sector Compensation Review Commission (IPCRC), and the implementation of autonomy paired with stringent accountability to institutionalize good faith and ensure sustainable peace.

Keywords: ASUU, Industrial Action, Higher Education, Structural Reform, Brain Drain, Social Contract Theory

INTRODUCTION

Tertiary education is universally acknowledged as the "fortress of knowledge for building future leaders" and serves as the intellectual backbone of national development, predicated on a meritocratic system (Jacob & Abubakar, 2020). However, in Nigeria, the integrity of this crucial sector has been systematically eroded by chronic industrial disputes. The recurring university strike by academic staff has become an "all-too-familiar story, a recurring wound that never seems to heal" (The Nigeria Education News, 2025). These industrial actions are fundamentally symptoms of a deep, institutionalized pathology within the governance and financing of public education.

The crisis is rooted in decades of systemic neglect. Issues such as poor remuneration, underfunding, and deteriorating physical conditions of service, which were first highlighted by the National Association of University Teachers (NAUT, the precursor to ASUU) as early as 1978, persist today

(Akah, 2018; Kazeem & Ige, 2010). Successive governments in the democratic era have consistently failed to address these foundational challenges. This systemic financial neglect is evident when measured against global benchmarks; the United Nations Educational, Scientific and Cultural Organization (UNESCO) advocates that developing nations dedicate between 15% and 20% of their annual budget to educational development, a target Nigeria consistently fails to achieve (Gbosi & Omoke, 2014; IIARD, 2016). The persistent disparity between required investment and actual allocation underscores that the conflict is not transient but chronic, demanding structural policy intervention rather than ephemeral negotiation (ResearchGate, 2024).

While the Academic Staff Union of Universities (ASUU) dominates public discourse regarding academic closures, a comprehensive analysis requires acknowledging the unified nature of the broader struggle within the tertiary sector. The crisis involves parallel industrial actions launched by the Academic Staff Union of Polytechnics (ASUP) and the Colleges of Education Academic Staff Union (COEASU). These unions articulate grievances identical to ASUU's, concerning revitalization funds, earned allowances, and improved conditions. However, representatives from these colleges often lament that the government appears to neglect their demands in favor of focusing disproportionately on university issues (The Cable, 2021).

The seriousness of the crisis has prompted Nigeria's central labor body, the Nigeria Labour Congress (NLC), to intervene, transforming the dispute from isolated union disagreements into a potentially massive national mobilization. The NLC has declared "full solidarity" with all tertiary education unions, including ASUU, ASUP, COEASU, and affiliated non-academic staff bodies (such as NASU, SSANU, NAAT, and COEASU), viewing the struggle as a collective fight for public education against the state's persistent breach of collectively bargained agreements (The Cable, 2021). This unified mobilization suggests that the dispute transcends mere localized labor demands. When the NLC emphasizes that the children of the elite attend private institutions or study abroad while the public system used by the working class is deliberately weakened, the conflict is elevated to a critical socio-economic dimension. The consolidated action suggests the conflict has evolved into a national social movement and carries the features of a class dispute—academics and labor opposing the ruling elite and the state over access to and the quality of public services.

Theoretical Underpinnings: Social Contract Theory and Industrial Relations

The intractable conflict between the Federal Government of Nigeria (FGN) and academic staff unions is most accurately framed through the lens of Social Contract Theory and advanced Industrial Relations analysis (Mitchell, 1981). The conflict arises from the state's perceived institutional failure to uphold its side of the implied social contract regarding the provision of quality higher education.

The functional mechanism of the conflict begins when the state, in response to union pressure, enters into formal Memoranda of Understanding (MOUs) or Agreements outlining improvements in funding and working conditions in exchange for continued educational delivery. However, the state consistently reneges on these commitments, failing to implement and fund the basic outcomes of collective bargaining. This systematic breach of trust, as scholars argue, transforms the nature of the dispute. When the government fails to honor agreements, ASUU lecturers are willing to work,

but the state, "by reneging on its commitments, has made it impossible for them to do so with the dignity and conditions their profession deserves" (Monogbe & Monogbe, 2019). The union perceives the state's inaction as the primary breach of contract.

Consequently, ASUU resorts to industrial action not merely as a bargaining tool, but as a necessary mechanism to enforce compliance. The union often argues that strike is "the only language the Nigerian government can hear" (Monogbe & Monogbe, 2019). This pervasive lack of political will to adhere to obligations institutionalizes distrust and forces ASUU to use systemic disruption as its most effective, albeit controversial, method of ensuring state accountability. The incessant strikes are therefore not random events, but predictable symptoms of a governance system that lacks the continuity and good faith required to maintain institutional peace.

Tracing the Menace: A Chronology of Strikes in the Fourth Republic (1999–Present)

The return to democracy in 1999, ushering in the Nigerian Fourth Republic, failed to halt the cycle of industrial conflict that had plagued the university system under military regimes. Instead, the post-military era saw a rapid continuation and escalation of strike actions, suggesting that the underlying structural defects remained unaddressed.

The Post-Military Era: Early Conflicts and the Quest for Autonomy (1999–2007)

Immediately following the transition to civil rule, ASUU maintained a firm stance in demanding the rights of university workers against the government of President Olusegun Obasanjo. This period established the routine frequency of industrial actions. Key disruptions occurred almost yearly, reflecting the inherited system's fragility. The strike history began in 2001, triggered partly by demands for the reinstatement of 49 lecturers, and continued in 2002 (Premium Times, 2018).

A particularly disruptive action occurred in 2003, forcing Nigerian university undergraduates to stay home for six months. Further widespread academic paralysis followed with subsequent strikes in 2005, April 2006, and March 2007 (Premium Times, 2018; Jacob & Abubakar, 2020). Beyond wages and facilities, ASUU also demonstrated its commitment to institutional integrity by actively challenging corruption; for instance, in July 2002, the union's national president petitioned the Independent Corrupt Practices Commission (ICPC) to investigate financial mismanagement at the University of Ilorin (Premium Times, 2018). The high frequency of strikes in this initial democratic decade demonstrated that the systemic problems of underfunding and poor facilities inherited from previous regimes were not resolved by the new administration, creating fertile ground for future escalation.

The Height of Disruption: Analyzing the Socio-Political Fallout of the 2022 Eight-Month Strike

The most severe and consequential industrial action in recent history occurred in 2022, lasting approximately eight months, from February 14 to October 14 (The Nigeria Education News, 2025). This extended closure epitomized the devastating socio-economic impact of the recurrent feud. The causes were multifaceted, including the government's imposition of the Integrated Personnel and

Payroll Information System (IPPIS), the non-release of earned academic allowances (EAA), poor remuneration, and the failure to implement the previous agreements (ResearchGate, 2024).

The immediate and profound consequence of this prolonged closure was the massive loss of valuable time for students. A standard four-year undergraduate program could easily stretch to six or seven years because of strike interruptions. For many students, this delay meant graduating close to the age of 28, 29, or even 30, before completing the mandatory one-year National Youth Service Corps (NYSC) program, severely limiting their opportunities in the labor market (Ejike, 2015).

The duration of the 2022 strike also inflicted significant psycho-social damage. The idleness and uncertainty led to "different mental challenges such as depression, anxiety, idleness, [and] boredom among students" (Ojinmah et al., 2024). This suggests that the strikes go beyond mere administrative delays, inflicting long-term psychological and motivational damage on undergraduates, turning academic fatigue into a mental health crisis, the full impact of which on social stability and labor productivity remains to be quantified.

Contending Grievances: Comparing the Demands of Tertiary Unions

The industrial disputes across Nigeria's tertiary education landscape share a common basis, regardless of the union involved. ASUU, ASUP, and COEASU all cite inadequate funding for revitalization, failure to pay earned academic allowances (EAA), poor remuneration, and opposition to centralized payment systems (such as IPPIS) as core grievances (The Cable, 2021; ResearchGate, 2024). The common thread weaving through these demands is the government's chronic neglect of the higher education sector. In the most recent period (2024/2025), the primary trigger for a warning strike by ASUU and the declaration of solidarity by affiliates was the FGN's refusal to sign the renegotiated draft agreement produced by the Yayale Ahmed-led committee (The Cable, 2021).

Table 2.1: Chronology of Major Industrial Actions in Nigerian Public Universities (1999–2025)

Year	Duration (Estimated)	Key Trigger / Focus of Dispute	Impact Level
1999	-	Continuation of pre-democracy demands.	High
2001	3 Months	Demands for the reinstatement of lecturers and improved conditions.	High
2003	6 Months	Focus on improved funding and implementation of earlier agreements.	Critical
2005	Minor/Warning	Continued agitation over funding and conditions.	Moderate
2006	1 Week	Demands for better salaries and infrastructure.	Low
2007	3 Months	Non-implementation of existing agreements.	High
2009	-	Signing of the landmark FGN-ASUU Agreement.	N/A (Negotiation)

2010	5 Months	Non-implementation of the 2009 Agreement.	Critical
2011	3 Months	Funding, earned allowances, and conditions.	High
2013	6 Months	Revitalization funds and earned academic allowances (EAA).	Critical
2017	1 Month	Non-implementation of 2009/2013 agreements.	High
2018	3 Months	Funding, EAA, and integrity of the education system.	High
2020	9 Months	IPPIS imposition, EAA, and revitalization funds.	Catastrophic
2022	8 Months	Non-release of EAA, IPPIS, and failure to sign renegotiated agreement.	Catastrophic
2024/2025	Warning Strike	FGN's refusal to sign the Yayale Ahmed renegotiated draft agreement.	High (Threat)

Adapted from Jacob & Abubakar (2020); Premium Times (2018); The Nigeria Education News (2025)

Root Causes of Incessant Industrial Actions

The complexity of the FGN-ASUU dispute stems from a confluence of financial, welfare, legal, and governance factors, all of which are deeply embedded in the Nigerian public service structure.

Financial Systemic Neglect and Infrastructure Deficits

The most fundamental cause of the crisis is the inadequate financing of tertiary education. Low budgetary allocation, failing to meet international standards such as the UNESCO benchmark of 15-20% (Gbosi & Omoke, 2014; IIARD, 2016), translates directly into operational deficiencies across the university system. This neglect results in poor physical conditions, inadequate facilities, and chronically overcrowded lecture halls, reflecting a deep neglect of education by successive governments (Adeyanju et al., 2018).

The government has attempted to mitigate infrastructural deficits through policies such as the University Hostel Development and Management (UHDM) initiative, utilizing a Public-Private Partnership (PPP) model. However, this initiative, intended to leverage private capital for facility provision, often faltered due to conflicts arising from the multiplicity of stakeholders and frequent contractual disputes without resourceful resolution mechanisms. The failure of these PPP models reveals a broader systemic issue: the generalized lack of government credibility in honoring long-term contractual obligations and resolving conflicts that undermine not only labor peace but also private sector investment in the education ecosystem.

Welfare and Remuneration: The Deterioration of Academic Salaries

A core driver of dissatisfaction and subsequent industrial conflict is the inadequate welfare and remuneration package for academic staff. Strikes are often triggered by the delay in payment of

outstanding salary arrears (Adeyanju et al., 2018). Furthermore, ASUU points to an increasing workload driven by a rapidly rising student population, which is not commensurate with their inadequate compensation.

This gross imbalance between rising academic expectations—the necessity to engage in world-class research and manage large classes—and the declining institutional capacity to adequately reward and support staff results in pervasive dissatisfaction. This inequitable remuneration package causes significant strain on the Quality of Work Life (QWL) for academic staff. When juxtaposed with the high cost of living, this financial instability drives lecturers to retreat to side jobs, or more critically, seek opportunities abroad, thereby exacerbating the brain drain phenomenon detailed below (Adeyanju et al., 2018).

The Failure of Negotiation: Non-Implementation and Political Will

Beyond financial shortfalls, the crisis persists because of institutionalized bad faith in the negotiation process. The persistent failure of the Federal Government to honor agreements freely reached with lecturers is a primary flashpoint (Monogbe & Monogbe, 2019). A recent example illustrates this perfectly: ASUU resorted to a warning strike because the government failed to sign the renegotiated draft agreement, finalized by the Yayale Ahmed committee, eight months after its conclusion. Instead of implementing the accord, the government proposed establishing yet another committee to restart the engagement.

ASUU perceives this reliance on generating endless committees and refusing to sign finalized agreements as "delay tactics" and a fundamental disregard for the principles of collective bargaining (The Cable, 2021). This systematic use of the negotiation process as a containment and exhaustion strategy, rather than a genuine resolution mechanism, confirms the union's belief that political will to solve the crisis is absent. Compounding this, the imposition of centralized payment systems, such as IPPIS, further fuels conflict by undermining universities' institutional independence (ResearchGate, 2024).

Governance and Autonomy: Government Interference

The struggle over funding and welfare is fundamentally linked to the struggle for university autonomy. ASUU argues that excessive government interference undermines institutional independence, severely restricting decision-making processes and the integrity of academic governance (Monogbe & Monogbe, 2019). This interference prevents universities from effectively managing their own financial and administrative affairs in line with global standards.

Although President Bola Tinubu has recently pledged to work towards full university autonomy, the reality is that the government often maintains financial control to exert political influence over the institutions. For academic staff, the demand for autonomy is a demand for institutional integrity—the capacity for university management to control its funds, determine remuneration commensurate with market value, and ensure academic policy continuity without the constant threat of executive intervention. Breaking this dependence is seen as the necessary precondition for achieving sustainable institutional peace.

The Devastating Impacts on Human Capital Development

The ceaseless cycle of strikes inflicts severe, often irreversible damage on Nigeria's human capital development trajectory, crippling students' learning effectiveness and precipitating an intellectual exodus.

Academic Discontinuity: Quantifying Learning Gaps and Calendar Distortion

The most immediate effect of the strikes is the distortion of the academic calendar, leading to constant uncertainty and prolonged study periods. This chronic disruption has measurable consequences on the quality of learning outcomes. Empirical studies have shown that strike actions significantly decreased students' study habits (reported by 62.4% of students) and negatively affected overall academic performance (reported by 83.4%) (Yusuf, 2017). The intermittent nature of learning also affects cognitive function, with 61.2% of students reporting that strikes decreased their long-term recall of knowledge (Yusuf, 2017).

The consequence of this educational instability is the reduction of future economic capacity. A comparative analysis provides a sobering projection for Nigeria: studies on teacher strikes in Argentina found that students exposed to the average strike incidence during primary school experienced a reduction in adult labor earnings of between 1.9% and 3.2%. The industrial action increased unemployment and led students to sort into lower-skilled occupations, suggesting an aggregate annual earnings loss of billions of dollars (IIARD, 2016). Applying these findings to Nigeria suggests that the incessant interruptions are not merely administrative delays but constitute a persistent, negative macroeconomic shock that reduces the lifetime earning capacity and employability of an entire generation of graduates.

Psycho-Social and Economic Costs to Students and Parents

The protracted nature of the disputes imposes immense psycho-social burdens on students. The uncertainty regarding strike durations causes anxiety, frustration, and stress. This demotivation often leads to students losing focus entirely, sometimes resulting in school abandonment or an increase in social vices (Ejike, 2015; Ojinmah et al., 2024). For many students, strikes have a significant impact on their motivation to study, as reported across various levels of education (Yusuf, 2017).

The economic cost is also transferred directly to households. Parents bear the additional financial and emotional burden of prolonged university education, often paying higher fees for extra semesters and years their wards spend waiting for the system to restart (IIARD, 2016). Crucially, the unpredictability of the academic calendar causes many students to miss out on valuable post-graduation opportunities, including the NYSC, postgraduate admissions both locally and abroad, and job recruitment cycles. This systemic uncertainty has driven many affluent parents to send their children to foreign institutions, burdening Nigeria's foreign exchange reserves and further confirming the decline in the global reputation of Nigerian universities (IIARD, 2016).

The Critical Loss of Expertise: Analyzing the Academic Brain Drain ("Japa" Syndrome)

Perhaps the most devastating long-term impact of the incessant strikes and the resulting instability is the acceleration of the academic brain drain, often termed the "Japa" syndrome. Poor remuneration, inadequate research funding, unfavorable working conditions, and the demoralizing threat of policies like "No Work, No Pay" directly motivate highly skilled professionals to seek better opportunities abroad (Adeyanju et al., 2018).

Data on global migration patterns show that the highest migration rates are consistently observed among individuals with tertiary education. Nigeria is recognized internationally as one of the top sending countries for medical doctors. The exodus is acute within the education sector itself, where the departure of senior academics and early-career researchers creates a significant void in mentorship and overall research capacity. Worrisome figures suggest a high attrition rate: some reports indicate that about 50% of lecturers have resigned from public universities or are preparing to leave (Adeyanju et al., 2018). Statistics show that Africa loses approximately 23,000 lecturers annually to emigration (ResearchGate, 2024).

The consequences of this human capital hemorrhage are catastrophic. The departure of competent lecturers leads to a decline in the quality of education and research output. As senior academics leave, the quality of future graduates inevitably suffers, with some commentators arguing that the resulting output are often "functional illiterates" (IIARD, 2016). The strikes, by driving away the very talent required to stabilize and improve the system, directly perpetuate the conditions for low quality that the strikes were intended to resolve.

Policy Failures: Structural Defects in Nigerian Industrial Relations

The perpetuation of the FGN-ASUU conflict is less an issue of irreconcilable demands than a consequence of profound structural and legal defects in Nigeria's public-sector industrial relations framework.

The Legal Status of Agreements: Analyzing Memoranda of Understanding (MOUs)

A critical structural defect at the core of the FGN-ASUU impasse is the reliance on Memoranda of Understanding (MOUs) or Memoranda of Action (MoAs) to conclude negotiations. While MOUs are formal documents intended to outline shared objectives and commitments, they are fundamentally non-binding legal instruments (The Cable, 2021).

Unlike legally enforceable contracts, MOUs do not create legal obligations or financial commitments that can result in liability for non-compliance. They lack specific legal dispute resolution provisions typical of robust contracts. This legal loophole allows the government, as a powerful party, to renege on its commitments or withdraw from the agreement without legal consequence. The systematic and consistent use of non-binding instruments by the FGN, knowing they lack enforceability, constitutes institutional bad faith. This structural weakness guarantees the recurrence of strikes, as ASUU's only viable recourse is to cease work and re-exert political pressure, rather than relying on judicial or contractual enforcement mechanisms.

Defects in Collective Bargaining: Government's Role as Employer and Regulator

The structure of collective bargaining in the Nigerian public sector is widely described as "defective and deceptive" and "poorly structured" (Monogbe & Monogbe, 2019). In the private sector, collective bargaining typically proceeds from a foundation of "reasonably even bases of power." However, in the public education sector, the government acts simultaneously as the primary employer, the chief financier, and the ultimate regulator.

This asymmetric power relationship enables the government to continuously renege on implementing the basic outcome of agreements (Monogbe & Monogbe, 2019). The refusal to honour finalized agreements and reliance on delay tactics (such as creating new committees after consensus has been reached) underscore the structural weaknesses and the government's unwillingness to negotiate in good faith. This imbalance forces academic unions to adopt radical, high-cost measures, such as prolonged industrial action, simply to enforce the most basic adherence to previously signed accords.

Judicial Intervention: Critical Assessment of the National Industrial Court (NIC)

The National Industrial Court (NIC), Nigeria's specialized labor tribunal, is intended to be the arbiter of industrial peace. However, its effectiveness in resolving FGN-ASUU disputes is highly questionable. Stakeholder perception data reveal significant distrust, with a majority of respondents (62.3%) declaring the NIC ineffective in resolving disputes, and a substantial majority (74.5%) believing that the Federal Government influences the NIC's judgment (Monogbe & Monogbe, 2019).

Furthermore, the NIC has actively curtailed the involvement of non-principal parties. The court has dismissed suits filed by concerned entities, such as students or civil society groups like SERAP, on the grounds of *locus standi*, labelling them "busybodies and meddlesome interlopers" not privy to the FGN-ASUU agreement (The Cable, 2021). This judicial stance creates a critical vacuum in public accountability: the primary victims of the dispute (students and the wider public) are systematically excluded from seeking judicial relief. Consequently, the resolution of the crisis is left solely to the two entrenched, distrustful principal parties (FGN and ASUU), solidifying the institutional belief among academics that strike action remains their only effective leverage.

The Futility of "No Work, No Pay": Policy Misalignment and Escalation

The government frequently attempts to deter strikes by invoking the "No Work, No Pay" policy. Labor unions, however, argue that this policy is both misleading and counterproductive, asserting that the "breach of contract lies with the state, not the scholars" (The Cable, 2021). They counter with the position of "No Pay, No Work," asserting that expecting productivity from workers whose entitlements have been dishonoured is illogical, unjust, and insensitive.

The application of "No Work, No Pay" fails as a deterrent because it addresses the symptom (work stoppage) rather than the root cause (institutional non-compliance and non-payment). Instead of fostering resolution, the threat of salary withholding further demoralizes lecturers, creating

financial hardship that accelerates the decision to migrate abroad, thus fueling the brain drain. This policy misalignment further damages trust and escalates the conflict, leading to longer, more damaging strikes.

Charting a Better Policy for Resolution: Institutionalizing Good Faith

Effective resolution of the Nigerian education strike menace requires shifting from crisis management to structural reform. This involves institutionalizing good faith and accountability across legal, financial, and governance structures, drawing lessons from international labour reform models.

Policy Precedence: Lessons from Comparative Public Education Labor Reforms

Comparative public sector labour analysis offers critical models for reform. In Chile, educational reforms, such as the *Docentemas* model, introduced explicit standards for good teaching (*Marco de la Buena Enseñanza*) and mandated expert classroom observation as a key component of performance review. This model links professional evaluation to quality output, ensuring that remuneration increases are tied to defined academic performance standards.

Furthermore, economic research highlights the need for institutionalizing wage mechanisms. The IMF notes that public sector wage determination in developing countries is often volatile, increasing counter-cyclically during economic downturns and spiking prior to elections. This underscores the danger of politicizing compensation. The analysis of Argentina clearly quantifies the cost of strikes, establishing that school days lost directly reduce student long-run earnings. These findings affirm that Nigerian policy must simultaneously address funding stability and link compensation to defined academic quality, while depoliticizing the wage-setting process.

Establishing an Independent Public Sector Compensation Review Commission (IPCRC)

To address the perpetual conflict over remuneration and remove salary negotiations from the volatile political arena, the establishment of a permanent, non-partisan Independent Public Sector Compensation Review Commission (IPCRC) is imperative.

Rationale: Currently, public sector wages are often determined unilaterally or through collective bargaining, which is heavily influenced by the immediate executive and electoral cycles. The IPCRC would be an expert-led body mandated to review and set compensation for all federal tertiary institution staff (academic and non-academic). The Commission would use evidence, including comparative analysis of public versus private sector wage differentials for highly skilled workers, inflation indexing (a mechanism used in other countries), and performance metrics, to make binding compensation recommendations to the National Assembly for statutory funding allocation. This mechanism detaches wage determination from the discretion of the executive branch. It preemptively addresses the core grievance of poor remuneration, eliminating the perpetual need for ASUU to resort to strikes over salary adjustments.

Legalizing Collective Agreements and Sanctions

The fundamental legal defect regarding the non-binding nature of MOUs must be eliminated. Policy must mandate a transition away from Memoranda of Understanding toward legally enforceable Contracts or Collective Bargaining Agreements that carry the full weight of the Nigerian Labour Act.

These enforceable instruments must include specific provisions for financial commitment, implementation timelines, and mandatory legal dispute resolution mechanisms, unlike current MOUs. Legalizing these agreements would restore the sanctity of collective bargaining, compelling the government to approach negotiations in true good faith. Critically, failure by the government to honor such a contract would incur statutorily defined financial penalties or mandatory enforcement through the National Industrial Court, transforming the court's role from adjudicating the legality of a strike to enforcing government liability for breach of contract.

Reforming University Funding and Autonomy

A structural solution necessitates the institutionalization of multi-year, transparent, and statutorily guaranteed funding. Funding allocations must progressively work towards the UNESCO 15–20% benchmark. Furthermore, enhanced institutional autonomy must be granted, allowing university leadership the necessary financial and administrative independence to manage internal affairs, facilities, and academic policy continuity effectively.

However, autonomy must be paired with stringent accountability. The model provided by the Tertiary Education Trust Fund (TETFund), which has historically improved physical infrastructure, should be built upon with enhanced transparency. Internal governance structures must be strengthened to prevent the financial corruption that ASUU itself has attempted to expose (Premium Times, 2018) and ensure that revitalization funds are applied transparently to research and facility upgrades.

Strengthening Dispute Resolution and Prevention

To address the ineffectiveness and perceived bias of the NIC (Monogbe & Monogbe, 2019), the focus must shift toward preemptive dispute resolution and prevention. Legal agreements should incorporate mandatory, specialized mediation and arbitration protocols to resolve conflicts before they escalate to work stoppage.

Crucially, the legal doctrine of *locus standi* must be re-examined and revised to allow the representation of student bodies, parents, and civil society in dispute proceedings. Granting judicial or arbitral standing to the direct victims of the industrial action transforms the conflict from a private dispute between the employer (FGN) and the union (ASUU) into a matter of public accountability, significantly raising the political cost of non-compliance for both parties.

Table 6.1: Comparative Policy Frameworks for Public Education Labor Relations

Reform Pillar	Current Problem	Proposed Structural Reform	Expected Outcome
Legal Status of Agreements	Reliance on non-binding MOUs (Institutional Bad Faith).	Mandate the use of Legally Binding Contracts with financial penalty clauses.	Government liability for breach of contract; Restored sanctity of collective bargaining.
Compensation	Politicized, unilateral wage-setting and poor remuneration.	Establish an Independent Public Sector Compensation Review Commission (IPCRC).	Depoliticized, evidence-based, predictable, and fair compensation for academic staff.
Funding/Autonomy	Chronic underfunding and excessive government interference.	Statutory, Multi-Year Funding tied to UNESCO benchmark; Autonomy paired with transparent accountability.	Enhanced institutional capacity; Improved infrastructure and academic quality.
Dispute Resolution	Ineffective NIC; Exclusion of public stakeholders (locus standi).	Mandatory Specialized Mediation/Arbitration; Revision of locus standi to include student/public representation.	Preemptive conflict resolution; Increased public accountability for all parties.

Conclusion

The analysis demonstrates that the incessant strikes plaguing Nigeria's higher education system since the return to democracy in 1999 are rooted not in the illegitimacy of academic demands, but in deep-seated structural and legal pathologies. The conflict is maintained by the government's institutionalized non-compliance, enabled primarily by the systematic use of non-binding Memoranda of Understanding (MOUs), which effectively exempt the state from legal liability for defaulting on agreements (The Cable, 2021). This legal loophole and the failure of public sector collective bargaining frameworks force ASUU to use its only reliable tool—systemic disruption—to demand state accountability (Monogbe & Monogbe, 2019).

The consequences of this institutional failure far exceed administrative inconvenience or short-term financial losses. The chronic disruption leads to the academic scarring of an entire generation, significantly reducing students' long-term earnings potential and employability (IIARD, 2016). Most critically, the pervasive instability and poor remuneration are accelerating the "Japa" syndrome, causing a massive haemorrhage of high-skilled human capital. This departure of senior academics creates a self-perpetuating "mentorship void" that guarantees a sustained decline in educational quality and research output, jeopardizing Nigeria's future economic competitiveness (Adeyanju et al., 2018; ResearchGate, 2024).

To resolve this persistent menace, policy must pivot away from ad-hoc negotiations toward establishing three key structural pillars:

1. Mandating the use of legally binding contracts for all FGN-Union agreements, eliminating the institutional bad faith enabled by MOUs and ensuring government financial liability for breaches.
2. Establishing an Independent Public Sector Compensation Review Commission (IPCRC) to remove salary determination from political cycles, ensuring remuneration is fair, predictable, and data-driven.
3. Granting institutional autonomy backed by statutory, multi-year funding, while strengthening internal governance to ensure transparency and linking academic performance metrics to remuneration, drawing lessons from successful international models like Chile.

Only through these systemic reforms—which prioritize institutional integrity, legal enforceability, and accountability to the public—can Nigeria restore stability, stem the brain drain, and rebuild its tertiary education system as the robust foundation required for national development.

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