From the Streets to the Courts

Contributed by Augustine Adah
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Students of the University of Lagos abandon streets protest and take their case against the renaming of their institution to the courts for determination

T he controversy ignited by the decision of President Goodluck Jonathan to rename the University of Lagos, UNILAG, after Moshood Abiola, winner of June 12, 1993 presidential election, is still raging. Last week, the agitation for the reversal of the decision shifted from protests on the streets of Lagos to the courts. The aggrieved students of UNILAG filed a suit against President Jonathan before a Federal High Court sitting in Lagos. The students, through Kayode Owolabi, their lawyer, are asking the court to declare as unconstitutional the declaration made by President Jonathan in his May 29, 2012, broadcast changing the name of the university to Moshood Abiola University. The students, in their originating summons, prayed the court to declare that the University of Lagos, being a creation of an Act of the National Assembly to wit: University of Lagos Act, 1967 as amended, cannot be governed except in accordance with the provisions of the University of Lagos Act, 1967. They are also asking for a court declaration that the change of name of the institution is ultra vires, null and void and of no effect. In addition, the students are seeking for a declaration that the power to change or amend the name of the University of Lagos, being a corporate body having perpetual succession with common seal as provided under the University of Lagos Act 1967 as amended, rested on the National Assembly. In an 11-paragraph affidavit in support of the originating summons deposed to by one of the students, Sunday Gabriel Asaolu, of the Faculty of Law, he claimed that the unilateral change of the name of the University of Lagos sent panic to the entire community of the institution. He stated that the panic generated by the change of name incited the entire students of the school into spontaneous protests. He stated that the protests has led to the suspension of all academic activities and the sending home of the students with its attendant heavy social and pecuniary costs to all the students. Justice Mohammed Liman, the trial judge, has already granted the students leave to serve the originating summons, affidavit in support and the accompanying documents on President Jonathan, the defendant. The court further adjourned hearing of the matter to July 10, 2012. Apart from the suit, Oluyinka Oyeniji, a lawyer and postgraduate student of UNILAG, has also filed a separate suit against President Jonathan, at the Federal High Court, Ikoyi, Lagos, seeking the court’s interpretation of the 1967 Act establishing the University of Lagos. The Alumni Association of the University of Lagos which had shown solidarity with the action of the students has equally called on the university authorities not to effect any change in the name of the institution until all the issues surrounding the name are resolved. In a communiqué signed at the end of the association’s meeting in Lagos, last week, the members vowed to use all logical and legal means to resist the renaming of the university. While appealing to the students to stop any form of violent protest, the association said it was capable of resolving the crisis. Olajide Abas-Thomas, a professor and president of the Alumni Association, said the association was also going to court, because about 100 members who are Senior Advocates of Nigeria, SAN, were prepared to offer legal services free on the matter. “We are going to make sure we fight this battle to the end. Aside taking this matter to court, we are also going to get contacts of those in the National Assembly who are old students of the university,” he said. Olufemi Mimiko, a professor of political science and vice chancellor, Adekunle Ajasin University, Akungba- Akoko, Ondo State, stated that the president’s action was patriotic but was misplaced. He stated that there are so many relevant institutions that could be named after the late politician instead of the University of Lagos which has become a brand name. “University of Lagos has become a brand name over the years that we should be interested in developing and sustaining. We must recognise and acknowledge that universities are on their own, they constitute an entity on their own that deserve respect,” he said. Apart from the unilateral manner the university name was changed, many students and lecturers of the University of Lagos, were infuriated by the choice of May 29, by President Jonathan to change the name of the university. It was the day the university community was holding a memorial service for the late Adetokunbo Shofoluwe, former vice chancellor of the university who died some weeks ago. They viewed the action as a mark of disrespect for their late vice chancellor. However, the president appears bent on pushing through the UNILAG name change. Last Wednesday, he submitted a bill seeking to formalise the change of name to the National Assembly.