

THE IMPACT OF THE SUPREME COURT OF NIGERIA'S JUDGEMENT IN *GARBA AND OTHERS V UNIVERSITY OF MAIDUGURI AND OTHERS* ON THE DISCIPLINARY POWERS OF THE NIGERIAN UNIVERSITIES

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ABSTRACT:

In *Garba v University of Maiduguri*, the Nigerian Supreme Court was invited to interpret the provisions of section 33(1)(4) of the 1979 Nigerian Constitution. Therein the court established the principle of law to the effect that domestic tribunal of a university lacks the jurisdiction to enforce discipline on its campus where such an act of misconduct has criminal elements in it. The paper argues that this decision robs the universities of their deserved disciplinary autonomy and has the tendency of hampering the universities' autonomy relevant to realise their teaching and research objectives. The paper observes that some other courts consequently adopted principles of interpretation such as the residual, the liberal, and the pragmatic rules of interpretation of the Constitution in a bid to restore disciplinary autonomy of the universities. This article submits that the application of rules of interpretation other than the literal rule, which the Court applied in *Garba*, assures of the desired disciplinary autonomy, which also assures the realisation of the objectives of the universities.