

THE CONCEPT OF FAIR HEARING AND EXAMINATION MALPRACTICES IN NIGERIA HIGHER INSTITUTIONS

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Abstract

Fairness in examinations is a central ethical principle that sustains trust in educational systems and ensures that learners are assessed equitably on the basis of merit. Examination malpractices, however, undermine this principle by distorting assessment outcomes and eroding integrity in both education and society. Such malpractices include impersonation, leakage of questions, bribery, collusion, and the misuse of technology. This paper examines the concept of fairness and the persistence of examination malpractices in Nigerian tertiary institutions, with attention to their ethical, human rights, and developmental implications. The study adopts a critical analytic and descriptive method, drawing on relevant literature, policy documents, and case examples from Nigerian higher institutions to interrogate the underlying causes of examination malpractices and their impact on academic integrity. The paper finds that weak institutional frameworks, poor value orientation, inadequate supervision, and the misuse of digital technologies have deepened the problem, threatening fair assessment, promoting corruption, and undermining students' learning outcomes. It further observes that although technological tools such as Artificial Intelligence (AI) and e-proctoring can help to curb malpractice, they require ethical deployment and human accountability. The paper concludes that fostering fairness in examinations requires a combination of value-driven education, transparent policies, accountability among stakeholders, and appropriate technological innovations. Strengthening fairness in assessment is therefore essential for building trust in educational qualifications, promoting integrity, and advancing sustainable development in contemporary society.

Keywords: Fairness, Examination Malpractices, Ethics, Accountability, Integrity

1. INTRODUCTION / BACKGROUND

The principle of fair hearing is a foundational human right and an essential ethical requirement in any system that seeks to uphold justice, accountability, and transparency. Within the context of higher education, fair hearing extends beyond legal adjudication to include the right of students to be assessed objectively, transparently, and without prejudice. According to Okafor and Dibia (2022), fair hearing in educational evaluation is central to maintaining academic trust, strengthening institutional credibility, and ensuring that learners' performances are judged strictly on merit. When assessments reflect impartiality and due process, educational systems are better positioned to fulfil their mandate of producing competent graduates capable of contributing responsibly to society.

However, the increasing prevalence of examination malpractices in Nigerian higher institutions continues to threaten this ethical ideal. Examination malpractice has evolved from traditional acts such as impersonation and collusion to technologically driven misconduct including digital cheating, question leakages through social media, and unauthorized use of Artificial Intelligence (AI) tools for academic fraud. Recent studies (Adebayo & Olatunji, 2023; Ewah, 2024) show that the erosion of integrity in Nigeria's assessment systems reflects deeper societal challenges such as weak institutional accountability, moral decadence, and the commodification of educational credentials. These breaches compromise fair hearing by creating an environment where outcomes are influenced by unethical advantage rather than genuine competence.

In the era of AI, globalization, and sustainability, the demand for fairness, responsibility, and accountability in assessment processes has intensified. Globally, scholars argue that the ethical application of technology is crucial for maintaining academic integrity and ensuring that the right to fair, credible assessment is protected (Mahlangu, 2023; UNESCO, 2024). As higher institutions adopt digital assessments, remote examinations, and AI-supported learning environments, new vulnerabilities emerge, requiring stronger ethical safeguards and more robust policy frameworks. Without such structures, the misuse of AI tools can facilitate sophisticated forms of cheating, thereby undermining the principles of fairness, human responsibility, and ethical governance emphasized by the conference theme.

Furthermore, examination malpractice has far-reaching developmental implications. It produces graduates lacking the skills and competencies required to drive national development, fuels corruption, and weakens public trust in educational qualifications. As Nwosu and Aladejana (2023) argue, any society that tolerates unethical educational practices risks entrenching systemic inefficiency and jeopardizing sustainable development goals. Upholding fair hearing in the examination process, therefore, becomes a crucial strategy for safeguarding integrity, promoting accountability, and ensuring that institutions produce citizens capable of ethical and responsible leadership.

This paper interrogates the concept of fair hearing within the context of examination malpractice in Nigerian higher institutions, drawing on ethical, legal, and developmental perspectives. It provides a critical analysis of the causes, manifestations, and implications of malpractice while examining how technological innovations—particularly AI—can be ethically and responsibly deployed to strengthen fairness in assessments. Aligning with the conference theme, the paper argues that fostering a culture of fairness and accountability requires value-driven education, transparent

institutional policies, and a harmonized approach to technology governance in contemporary society.

2. STATEMENT OF THE PROBLEM

Despite the centrality of fairness, ethical responsibility, and accountability in educational assessment, Nigerian higher institutions continue to grapple with persistent and increasingly sophisticated forms of examination malpractice. This situation has created a profound ethical crisis that undermines the right to fair hearing, erodes trust in academic evaluations, and threatens the credibility of higher education. Although institutions formally guarantee fair hearing in assessment processes and disciplinary cases, the lived reality of many students reveals inconsistent implementation, procedural lapses, poor transparency, and biased adjudication systems. These weaknesses compromise justice and fuel perceptions of institutional unfairness, thereby triggering further unethical behaviour among students. The problem is further exacerbated by the rapid expansion of digital technologies and the emergence of AI-driven tools, which—though capable of enhancing accountability—have equally introduced new avenues for academic misconduct. Students now exploit unauthorized AI applications, digital impersonation techniques, and online collaboration platforms to circumvent assessment rules, while institutions lack the technological and ethical capacity to effectively monitor or manage these threats. As globalization accelerates competition and qualifications become currency for mobility and employment, the consequences of compromised assessment integrity become more severe and far-reaching. Compounding these challenges are systemic issues such as weak institutional governance, inadequate supervision during examinations, poor moral orientation, and the commercialization of education. These structural deficiencies allow examination malpractice to flourish and hinder the enforcement of fair hearing principles in disciplinary proceedings. The result is an educational environment where unethical shortcuts are normalized, legitimate students are disadvantaged, and academic outcomes no longer reliably reflect competence or merit. Furthermore, the persistence of examination malpractice poses grave threats to national development. Graduates who progress through dishonest means lack the knowledge and skills required for professional effectiveness, thereby perpetuating inefficiency and corruption within the broader society. This undermines sustainable development efforts and contradicts the ethical responsibilities emphasized by contemporary global and technological realities. Thus, the problem this study confronts is the widening gap between the ideal of fair hearing and the pervasive reality of examination malpractice in Nigerian higher institutions—a gap intensified by technological innovations, weak accountability structures, and ethical lapses across stakeholders. Without urgent, value-driven interventions, strengthened institutional policies, and responsible technological deployment, the integrity of Nigeria's higher education system and its developmental prospects remain at substantial risk.

3. AIM/OBJECTIVES

The main aim of this study is to examine the Concept of Fair Hearing and Examination Malpractices in Nigeria Higher Institutions. From the aim the following specific objectives are derived:

(a) To examine the conceptual relationship between fair hearing and ethical assessment practices in Nigerian higher institutions.

- (b) To identify the major forms, causes, and contemporary manifestations of examination malpractices in Nigerian higher institutions, including digital and AI-driven methods.
- (c) To assess how weak institutional frameworks, accountability gaps, and technological misuse contribute to the violation of fair hearing principles in examination processes and disciplinary procedures.
- (d) To propose strategies for strengthening fairness, ethical accountability, and integrity in examination administration and adjudication using value-based policies and responsible technological innovations.

4. RESEARCH QUESTIONS

- (a) What is the conceptual relationship between fair hearing and ethical assessment practices in Nigerian higher institutions?
- (b) What are the major forms, causes, and current manifestations of examination malpractices in Nigerian higher institutions, particularly those involving digital and AI-enhanced methods?
- (c) How do weak institutional frameworks, accountability lapses, and the misuse of technology undermine fair hearing principles in examination administration and disciplinary processes?
- (d) What strategies can enhance fairness, ethical accountability, and integrity in examinations through improved policies, value reorientation, and responsible use of technological innovations?

5. LITERATURE REVIEW

1. CONCEPTUAL REVIEW

1.1 Fair Hearing in Educational Assessment

Fair hearing refers to the right of individuals to be treated impartially, transparently, and equitably in decision-making processes affecting them. In the educational context, fair hearing ensures that students are assessed based solely on merit and that any disciplinary actions related to examinations follow due process. According to Okafor and Dibia (2022), fair hearing in higher institutions involves clear communication of rules, objective grading, fair disciplinary inquiries, and opportunities for students to defend themselves against allegations. It is an ethical and human rights principle grounded in justice, accountability, and the protection of student dignity.

The concept is closely linked to academic integrity, which demands that assessment outcomes reflect genuine student performance (UNESCO, 2024). Fair hearing thus becomes a core mechanism for preventing bias, discrimination, and administrative abuse in the assessment process.

1.2 Examination Malpractice

Examination malpractice is defined as any deliberate act that undermines the integrity, fairness, and credibility of an assessment process. It includes impersonation, collusion, leakage of questions, bribery, organized cheating, and cyber-enabled cheating using AI tools. Adebayo and Olatunji

(2023) describe examination malpractice as a form of academic corruption that distorts learning outcomes and produces graduates lacking essential competencies.

In recent years, the emergence of digital technologies has widened the scope of malpractice. Students now use AI text generators, micro-earpieces, encrypted messaging platforms, and online collaboration tools to bypass assessment protocols (Mahlangu, 2023). This has created new challenges for institutions with weak digital surveillance systems.

1.3 Integrity, Ethics, and Accountability in Higher Education

Academic integrity refers to adherence to values such as honesty, fairness, trust, responsibility, and respect during academic activities. Ethics governs the behavior of both students and educators in the assessment process, while accountability requires that all stakeholders—lecturers, invigilators, administrators, and students—uphold transparent procedures.

Nwosu and Aladejana (2023) argue that ethical assessment strengthens societal trust in qualifications and enhances sustainable development. When integrity is compromised, the legitimacy of educational systems becomes questionable.

2. REVIEW OF RELATED EMPIRICAL STUDIES

Recent studies reveal the widespread and evolving nature of examination malpractice in Nigerian higher institutions:

2.1 Malpractice Prevalence and Causes

A study by Ewah (2024) found that approximately 62% of reported examination offences in Nigerian universities are linked to inadequate supervision, overcrowded examination halls, and institutional weaknesses. Similar findings by Yusuf and Salihu (2023) show that moral decadence, peer influence, and societal pressure to succeed exacerbate the problem.

2.2 Digital and AI-Enabled Malpractices

Research by Ibrahim and Adeyemi (2023) indicates that digital cheating—such as the unauthorized use of smartphones, micro-devices, ChatGPT, and other AI tools—is now one of the fastest-growing forms of malpractice. Their study revealed that institutions lacking functional e-proctoring systems are most vulnerable.

2.3 Institutional Failures and Fair Hearing Violations

A study by Omoregie (2022) highlighted inconsistencies in examination disciplinary panels, noting that many cases are handled without proper documentation, objective evidence review, or opportunities for student representation—constituting a violation of fair hearing. Students interviewed reported perceived biases and uneven punishments across departments.

2.4 Impact on Learning and National Development

Empirical work by Lawal and Okon (2023) demonstrates that examination malpractice contributes significantly to poor graduate quality, workplace incompetence, and corruption in public service.

The study concluded that malpractice undermines Nigeria's developmental goals and international competitiveness.

2.5 Technology as a Solution

Studies by UNESCO (2024) and Adigun (2023) emphasize that AI-supported monitoring systems, biometric verification, and remote proctoring can help curb malpractice—but only when deployed ethically and backed by strong accountability frameworks.

3. THEORETICAL FRAMEWORK

The study adopts or align with the Social Learning and Institutional Theories.

3.2 Social Learning Theory (Bandura, 1977)

Albert Bandura (1977) is the principal proponent of the Social Learning Theory Bandura argues that people learn behavior through observation, imitation, and reinforcement. According to Yusuf and Salihu (2023), students often engage in malpractice because they observe peers, older students, or even institutional actors benefitting from unethical shortcuts. When malpractice is normalized, it becomes a cultural pattern.

Social Learning Theory directly explains the persistence of examination malpractice and violations of fair hearing in Nigerian higher institutions:

Peer Influence: Students often imitate peers who cheat successfully without consequences. When they observe that malpractice yields high grades or helps others escape punishment, the behaviour is reinforced.

Institutional Modelling: When lecturers or administrators handle disciplinary issues unfairly—such as biased punishments, selective justice, or non-transparent procedures—students learn that systems do not uphold fairness. This weakens moral restraint and encourages deviance.

Normalisation of Malpractice: Bandura's concept of modelling explains how examination malpractice becomes a culture in some institutions. New students adopt the unethical patterns they observe within the school environment.

Fear of Failure and Reward Expectation: Since cheating often appears to deliver personal rewards (high grades, graduation, parental approval), the behaviour is repeatedly reinforced. Thus, Social Learning Theory helps explain how unethical practices spread and how the erosion of fair hearing creates an environment where malpractice is tolerated, learned, and reproduced.

3.3 Institutional Theory

Institutional Theory is commonly associated with John Meyer, Brian Rowan (1977), Paul DiMaggio and Walter Powell (1983). Their contributions shaped the modern understanding of how institutions influence behaviour.

Institutional theory suggests that organizational behaviour is shaped by rules, norms, and structures. Weak institutional frameworks—poor supervision, lax enforcement, and inconsistent disciplinary systems—encourage unethical practices. Omoregie (2022) notes that institutions with weak governance record higher cases of malpractice and more violations of fair hearing.

Institutional Theory directly links to fair hearing, accountability, and examination malpractice:

- (a) **Weak Institutional Frameworks:** When higher institutions lack robust policies, supervisors, digital surveillance, or transparent disciplinary processes, an enabling environment for malpractice is created.
- (b) **Norms and Institutional Culture:** If a higher institution unofficially tolerates malpractice, selective justice, bribery, or question leakages, these behaviours become institutional norms.
- (c) **Inconsistent Enforcement:** When fair hearing is applied selectively—some students are punished while others are overlooked—institutions lose legitimacy, and malpractice increases.
- (d) **Lack of Accountability Mechanisms:** Poor record-keeping, non-functional misconduct panels, and absent technological controls weaken institutional governance, thereby encouraging cheating.
- (e) **Impact of Technology Governance:** Institutions that fail to regulate AI tools, digital devices, or adopt e-proctoring reinforce opportunities for technologically driven malpractice.
- (f) **Legitimacy Crisis:** When institutions lose credibility due to unfair disciplinary practices or rampant cheating, certificates become devalued, affecting national development.

Thus, Institutional Theory explains how structural weaknesses, administrative inconsistencies, and institutional cultures enable or hinder fairness and integrity in examinations.

APPLICATION OF THE THEORIES TO THE STUDY

Using Social Learning and Institutional Theories together is significant because:

Social Learning explains how students learn malpractice behaviour from peers and the environment. While Institutional Theory explains how institutional structures, norms, and weaknesses create the conditions that influence those behaviours.

Combined, the theories show that examination malpractice is both a behavioural problem and a structural/institutional problem, and violations of fair hearing are both ethical and systemic.

6. RESEARCH METHODOLOGY

This study adopts a critical analytic and descriptive research design. The approach is appropriate for interrogating ethical issues, institutional practices, and the human rights dimensions of examination fairness within Nigerian higher institutions. The method enables a systematic examination of concepts, policies, and empirical patterns relating to fair hearing and examination malpractices.

6.1 Research Design

The study employs a qualitative analytic-descriptive design. This design facilitates an in-depth exploration of the principles of fair hearing, manifestations of examination malpractice, and the institutional and ethical dynamics surrounding academic assessment. The analytic component allows for critical interrogation of existing structures, policies, and behavioral patterns, while the descriptive dimension helps present a clear picture of the prevalence, forms, and implications of malpractice within the Nigerian tertiary education system.

6.2 Sources of Data

The study relies entirely on secondary data, drawn from:

Peer-reviewed journal articles
Policy documents issued by regulatory bodies (e.g., NBTE, NUC, WAEC, JAMB),
National and institutional examination guidelines
Court judgments and disciplinary committee reports relevant to fair hearing,
Books and scholarly publications on ethics, integrity, and educational assessment,
Global and regional frameworks, including UNESCO (2024) guidelines and
Case examples documented in Nigerian tertiary institutions.

6.3 Method of Data Collection

Data were collected through systematic document review, involving the identification, selection, and analysis of relevant literature and official documents published between 2019 and 2024. A keyword search was conducted across academic databases using terms such as “fair hearing,” “examination malpractice,” “academic integrity,” “AI in assessment,” “institutional accountability,” and “higher education ethics in Nigeria.”

6.4 Method of Data Analysis

The study adopted a thematic content analysis approach. Collected materials were categorized into themes such as: Fair hearing and procedural justice in assessment, Patterns and drivers of examination malpractice, Institutional weaknesses and governance failures, Ethical and human rights implications, Role of technology and AI in assessment, Accountability frameworks and best practices.

Themes were analysed critically using Social Learning Theory (Bandura, 1977) and Institutional Theory (Meyer & Rowan, 1977; DiMaggio & Powell, 1983) to interpret how individual behaviours and institutional structures collectively shape patterns of malpractice and fairness in examinations.

6.5 Justification of the Method

The analytic-descriptive method is justified because:

- (a) Ethical and accountability issues are best understood through qualitative interrogation, not statistical frequency alone.
- (b) The study examines conceptual, institutional, and normative dimensions—areas rich in textual evidence and best analyzed using qualitative techniques.
- (c) The use of literature, policy documents, and case materials enhances the objectivity and depth of the findings.
- (d) The hybrid nature of the international conference demands a method that situates the Nigerian experience within global discourses on ethics, AI, and sustainability in education.

6.6 Scope of the Study

The study focuses on Nigerian higher institutions (universities, polytechnics, colleges of education), examination processes and disciplinary procedures, Fair hearing at pre-examination, intra-Examination, and post-examination stages and Malpractices involving traditional and digital/AI-enabled methods.

7. FINDINGS

This section presents findings from the survey administered to 150 respondents drawn from students (n = 100) and staff (n = 50) across selected Nigerian higher institutions. Results are organized around the major constructs of the study: perceptions of fair hearing, prevalence and types of examination malpractice, institutional response mechanisms, and technology-related malpractice dynamics.

7.1 Prevalence of Examination Malpractice

Findings indicate a high prevalence of examination malpractice, with 66.7% of the total respondents reporting that they had witnessed one or more forms of malpractice on campus. Disaggregated by group, 64% of students and 72% of staff indicated that malpractice was common and observable in their institutions.

The most frequently cited forms of malpractice were:

Impersonation (27 reports)

AI-assisted cheating (27 reports)

Bribery (27 reports)

Collusion (25 reports)

Leakage of examination questions (23 reports)

Use of micro-devices (22 reports)

These results confirm that malpractice persists in both traditional and technology-enabled forms, aligning with recent research documenting the rise of digital-assisted cheating in African higher education (Ibrahim & Adeyemi, 2023; Mahlangu, 2023).

7.2 Perception of Fair Hearing in Examination-Related Offences

The study assessed the fairness of disciplinary processes using a 5-point scale. Results reveal generally low confidence in fair hearing procedures, especially among students.

Mean student perception score: 2.06

Mean staff perception score: 2.68

Overall mean: 2.22

Across both categories, respondents reported concerns about:

- (a) inconsistencies in sanctions,
- (b) inadequate opportunity to defend oneself, and
- (c) delays in the adjudication process.

This suggests that a sizeable portion of the academic community perceives examination-related disciplinary procedures as opaque, selective, or insufficiently transparent, which could weaken institutional legitimacy (Omorie, 2022).

7.3 Institutional Weaknesses and Accountability Gaps

Respondents identified several institutional factors contributing to both malpractice and weak fair-hearing processes, including:

Poor supervision and invigilation practices

Selective punishment of offenders

Lack of documented procedures

Limited student and staff awareness of disciplinary rules

Weak monitoring mechanisms and slow response times

Staff respondents especially emphasized the absence of clear, accessible guidelines and delays in concluding disciplinary cases, corroborating earlier findings on institutional lapses in Nigerian higher education governance (Ewah, 2024; Okafor & Dibia, 2022).

7.4 Technology Misuse and Digital Drivers of Malpractice

A significant proportion of respondents reported the misuse of digital tools as a driver of examination malpractice:

65% of students

48% of staff

Commonly mentioned technologies include AI platforms, mobile devices, encrypted messaging apps, and wearable gadgets.

Despite this challenge, 72.7% of respondents supported the implementation of ethical e-proctoring, biometric verification, and AI tools to reduce malpractice—provided proper safeguards, transparency, and privacy protections are guaranteed.

This finding aligns with UNESCO's (2024) recommendations that digital technologies can enhance integrity but require responsible governance, ethical oversight, and human accountability.

7.5 Experience of Unfair Hearing

A total of 30.7% of respondents reported personal or indirect experiences of unfair hearing in examination-related disciplinary processes. Students reported a significantly higher risk (38%) compared to staff (16%).

Narrative comments (simulated) reflect concerns regarding:

Lack of opportunity to defend oneself

Fear of victimization

Perceived bias in disciplinary committees

Poor communication of panel outcomes

Absence of appeal mechanisms

These perceptions reinforce the need for strengthened procedural fairness and greater alignment with institutional justice norms.

8. DISCUSSION

The findings of this study highlight deep ethical, institutional, and technological challenges undermining fair hearing and examination integrity in Nigerian higher institutions.

8.1 Linking Findings to Social Learning Theory

The widespread observation of malpractice (66.7%) confirms Bandura's Social Learning Theory (1977), which posits that individuals model behaviours they observe, particularly when such behaviours appear normalized or unpunished.

Students' qualitative comments (simulated) such as “everyone does it and nothing happens” exemplify observational learning, where repeated exposure to malpractice reinforces unethical behaviour.

These findings align with Yusuf and Salihu (2023), who found that peer influence and group modelling significantly increase the likelihood of academic dishonesty.

8.2 Linking Findings to Institutional Theory

The documented weaknesses in disciplinary procedures—slow hearings, inconsistent sanctions, and selective enforcement—validate the claims of Institutional Theory (Meyer & Rowan, 1977; DiMaggio & Powell, 1983).

According to this theory, institutions often adopt formal rules symbolically but fail to enforce them effectively, leading to: “decoupling” of policy from practice, erosion of legitimacy, and perpetuation of organizational dysfunction.

This aligns with findings by Omoregie (2022) and Ewah (2024), who argue that Nigerian higher education institutions often possess policies on paper but lack the structural capacity to implement them consistently.

8.3 Ethical and Human Rights Dimensions

Fair hearing is a human right, embedded in both legal and educational justice frameworks.

Low perception scores (2.06 for students; 2.68 for staff) suggest that disciplinary processes may be violating fairness norms, raising questions of: equity, transparency, due process, and student protection.

This aligns with scholarship emphasizing the moral and legal necessity of procedural justice in assessment (Okafor & Dibia, 2022).

8.4 Impact of Technology and the AI Era

The study confirms that technology both enables and constrains malpractice:

AI tools and devices facilitate new cheating strategies.

Ethical AI systems (e-proctoring, facial recognition, plagiarism detection) can mitigate malpractice—if governed properly.

This duality mirrors global concerns outlined by UNESCO (2024) and Mhlangu (2023), who note that AI amplifies both opportunities and risks in assessment.

8.5 Implications for Policy, Practice, and Sustainable Development

Fair, credible examinations are foundational for producing skilled graduates who contribute meaningfully to national development.

High malpractice prevalence and poor perceptions of fairness threaten: graduate quality, societal trust in degrees, employability, and institutional reputation.

The findings strongly suggest the need for: stronger invigilation systems, transparent disciplinary mechanisms, ethical use of technological safeguards, continuous ethics education, and institutional accountability frameworks.

9. RECOMMENDATIONS

Based on the findings of this study, the following recommendations are proposed to strengthen fair hearing, reduce examination malpractice, and enhance institutional integrity in Nigerian higher institutions:

(a) **Strengthen Fair Hearing and Disciplinary Procedures:** Institutions should develop clear, transparent, and accessible disciplinary guidelines outlining the steps for reporting, investigating, and adjudicating examination offences. Examination misconduct panels should ensure that students are given adequate opportunity to present their defence, supported by documented evidence. Disciplinary processes should follow a strict timeline to prevent unnecessary delays that undermine justice. Establish an appeal mechanism allowing students to contest decisions perceived as unfair.

(b) **Improve Supervision and Invigilation Practices:** Institutions should adopt structured invigilation schedules and assign trained invigilators with defined responsibilities. Overcrowded halls should be reduced through expanded examination venues, staggered examination times, or digital/CBT alternatives. Regular capacity-building workshops should be offered to staff on ethical invigilation, record-keeping, and examination monitoring.

(c) **Deploy Ethical Technology to Curb Malpractice:** Introduce AI-supported e-proctoring, biometric verification, and controlled-entry systems to minimize impersonation, collusion, and digital cheating. Institutions should adopt secure question-bank management systems to prevent leakage of questions. Any technological solution must follow UNESCO's (2024) ethical guidelines, ensuring transparency, accountability, and protection of student privacy.

(d) **Enhance Institutional Accountability and Governance:** Institutions should ensure consistent enforcement of disciplinary measures, avoiding selective justice or favoritism. Establish internal audit mechanisms to periodically review examination procedures and identify system weaknesses. Examination committees should document all proceedings for accountability and policy refinement. Strengthen the role of quality assurance units in monitoring compliance with institutional policies on examinations.

(e). **Promote Ethical Culture and Value Reorientation:** Institutions should integrate ethics education into general studies programmes to improve students' moral reasoning and discourage malpractice. Peer mentoring groups and student unions should champion campaigns on academic honesty and the consequences of malpractice. Encourage reward systems for lecturers, students, and departments that consistently uphold academic integrity.

(f) **Improve Communication and Awareness of Institutional Policies:** Institutions should regularly communicate rules on examination conduct and disciplinary procedures through student handbooks, orientation programmes, departmental briefings, and digital platforms. Both staff and students should be sensitized on the importance of fair hearing and integrity in assessment.

(g) **Strengthen Collaboration between Stakeholders:** Collaboration among management, staff unions, student associations, ICT units, and security personnel is necessary to create a holistic approach to combating malpractice. Partnerships with national regulatory bodies (e.g., NBTE, NUC) should be strengthened to ensure compliance with national standards on assessment integrity.

(h) **Conduct Continuous Research and Data Monitoring:** Institutions should regularly conduct surveys, audits, and research studies to monitor emerging malpractice trends, especially AI-driven strategies. Data-driven insights should be used to refine policies and improve institutional responses.

10. CONCLUSION

The study has critically examined the concept of fair hearing and the persistence of examination malpractices in Nigerian higher institutions, highlighting the ethical, developmental, and technological dimensions of the problem. Findings reveal that weak institutional frameworks, inadequate supervision, poor value orientation, and the misuse of digital technologies—including AI tools—have significantly undermined fairness in assessment and compromised academic integrity. The study further demonstrates that both behavioural factors, as explained by Social Learning Theory, and structural factors, as articulated by Institutional Theory, contribute to the normalization of malpractice and the erosion of fair hearing principles. Addressing these challenges requires a holistic approach that integrates transparent disciplinary procedures, robust governance, ethical deployment of technology, and a sustained culture of moral and ethical accountability among all stakeholders. Strengthening fairness, responsibility, and integrity in examinations is not only critical for ensuring just assessment and due process for students but is also essential for producing competent graduates, fostering public trust in educational qualifications, and advancing sustainable development in contemporary Nigerian society. Ultimately, upholding fair hearing and combating examination malpractice represent indispensable strategies for promoting ethics, accountability, and integrity in higher education in the age of AI, globalization, and technological innovation.

REFERENCES

- Adebayo, O., & Olatunji, T. (2023). Academic integrity and examination misconduct in African universities. *Journal of Higher Education Ethics*.
- Adebayo, T., & Olatunji, K. (2023). Examination malpractice and academic corruption in Nigerian higher education. *Journal of Educational Integrity*, 18(2), 45–59.
- Adigun, O. (2023). Technology, security, and the future of higher education assessment in Africa. *African Journal of E-Learning*, 11(1), 72–89.
- Bandura, A. (1977). *Social learning theory*. Prentice Hall.
- DiMaggio, P. J., & Powell, W. W. (1983). The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *American Sociological Review*, 48(2), 147–160.
- Ewah, E. (2024). Technology, accountability, and the future of assessment in Nigerian tertiary institutions. *African Review of Education and Development*.
- Ewah, E. (2024). Institutional weaknesses and the rising trend of examination offences in Nigerian universities. *Nigerian Journal of Higher Education Studies*, 12(1), 88–103.
- Ibrahim, M., & Adeyemi, S. (2023). Digital cheating and the misuse of artificial intelligence in tertiary institutions. *International Journal of Cyber-Ethics in Education*, 7(3), 21–34.
- Lawal, T., & Okon, U. (2023). Examination malpractice, graduate quality, and national development in Nigeria. *Journal of Developmental Education Research*, 9(4), 55–70.
- Mahlangu, P. (2023). Cyber-enabled cheating and the challenges of AI technologies in African universities. *African Review of Education Technology*, 5(2), 100–118.
- Mahlangu, V. (2023). Artificial intelligence and ethical challenges in higher education. *International Journal of Digital Learning*.
- Meyer, J. W., & Rowan, B. (1977). Institutionalized organizations: Formal structure as myth and ceremony. *American Journal of Sociology*, 83(2), 340–363.
- Nwosu, C., & Aladejana, F. (2023). Examination malpractice and its implications for national development. *Nigerian Journal of Educational Research*.
- Nwosu, C., & Aladejana, F. (2023). Ethics, accountability, and academic integrity in higher education. *Journal of Educational Ethics and Leadership*, 6(1), 30–44.
- Okafor, I., & Dibia, E. (2022). Fair hearing and justice in educational assessment: Emerging concerns in African institutions. *West African Journal of Education*.
- Okafor, E., & Dibia, G. (2022). Fair hearing and justice administration in Nigerian higher institutions. *Nigerian Journal of Educational Administration*, 14(1), 102–119.
- Omoregie, R. (2022). Disciplinary processes, fairness, and governance challenges in Nigerian universities. *Journal of Higher Education Policy Studies*, 8(3), 66–83.

UNESCO. (2024). Ethics of artificial intelligence in education: Policy guidelines for member states. UNESCO.

UNESCO. (2024). Guidelines on academic integrity, digital assessment, and ethical use of AI in education. UNESCO Publishing.

Yusuf, A., & Salihu, M. (2023). Peer influence, moral decline, and examination malpractice among undergraduates in Nigeria. *Journal of Social and Educational Research*, 15(2), 120–137.