

COMMITTEE FOR ACADEMIC FREEDOM IN AFRICA:

NEWSLETTER N1 SPRING 1991
Academic Freedom in Africa Under Siege

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Introduction

The conditions of academic freedom have steadily deteriorated in Africa throughout the 1980s, and today we have little reason to assume that any major improvement will occur, short of an active mobilization by the academic community internationally to help remedy this situation.

Arrests of teachers, students, banning of academic unions, censorship of scholarly materials, closing of universities, prevention of public debate and assembly, and, in many cases, disappearances and torture of teachers and students are the order of the day in many countries. These restrictions of academic freedom have also an economic dimension. In the wake of the debt crisis and the application of structural adjustment programs (SAPs), the right to education is increasingly nullified in Africa. Few can afford to continue to study while the academic infrastructure has deteriorated. Lack of books, journals, even pencils and paper is a common feature of academic life in Africa. Fees have been introduced at all educational levels—even primary elementary schools—at the insistence of international banks like the International Monetary Fund and the World Bank.

There is a deep connection between economic and political crisis. For many of the arrests stem from criticism of government policies, beginning with those that directly affect academic life. In Nigeria, for example, teachers have been persecuted for voicing their disapproval of the conditionalities of a World Bank loan to the university system. In Zaire, students have been massacred at Lubumbashi, in the wake of protest against dismal conditions of in the campuses. Similarly, there was a crisis at the University of Dar Es Salaam, which led to the closure of the university from May 1989 to January 1990, stems from protest against the conditions of academic work. In Uganda, two students were shot dead by police during a demonstration protesting the government's cutting of the paper subsidy which helped students purchase of one ream of paper during a semester.

All over Africa students and teachers are mobilizing to defend their rights. In November 1990 at Makerere University in Kampala (Uganda), a Pan-African conference was held resulting in a Declaration on Academic Rights. It was patterned on the World University Service Lima Declaration of 1988 and includes the following articles, resolutions and recommendations among others:

- * Every person has the right to education and participation in intellectual activity.
- * No African intellectual shall in any way be persecuted, harassed or intimidated for reasons only of his

or her intellectual work, opinions, gender, nationality or ethnicity.

- * [It condemns] violations of the autonomy of academic institutions through closures, invasion by security, policy or military forces, censorship of intellectual work, restrictions on freedom of association, movement, speech and publishing.
- * It condemns] those African and non-African intellectuals who make their services available to governments repressive of the rights of local intellectuals.

As academicians in North American we cannot remain indifferent to what is taking place on African campuses. We need to let our African colleagues know we will not remain silent as they are driven to jail, have their offices ransacked, and their lives and studies constantly endangered. Nor can we remain silent in front of the immiserization of African academic life.

Academic freedom is indivisible. If it is violated anywhere it is violated everywhere. Even aside from humanitarian reasons, our own ability to engage in free cultural exchange with African colleagues is made impossible by this repression. For it forces us to be either accomplices in this repression through our silence or active, vocal opponents.

CAFA has been formed to express this concern and organize support for the struggles taking place. We join our efforts to those of Concerned African Scholars and American Association for the Advancement of Science's Committee on Scientific Freedom and Responsibility as well as Africa Watch, a human rights monitoring service that has been focusing on intellectual repression in Africa.

Our quarterly newsletter will be our primary means of communication. We encourage you to send us information, suggest possible forms of action, contribute your thoughts on the issues connected with academic freedom.

CAFA's primary purposes include:

- * providing a sounding board for our contributors and for all interested in academic freedom in Africa.
- * pressuring our academic associations and unions to take initiatives in support of colleagues and students that are being persecuted.

ACADEMIC RIGHTS UNDER SIEGE

FOCUS: Nigeria, Tanzania, Zaire

NIGERIA

Turmoil on Nigerian campuses has been common since 1985, when, in response to the worsening economic situation, the then government of General Buhari decided to cut the subsidy to students for food and accomodation. This decision led to a confrontations between government and students in a number of universities which were temporarily closed in response. To this day the material conditions of academic work are one of major terrains of confrontation on university campuses. Since 1985, when food services were privatized, things have gone from bad to worse. Both students and teachers are working in totally pauperized conditions. The legal situation deteriorated as well in 1988 when ASUU was banned in response to a strike it called to demand a wage increase for teachers. This demand was not frivolous since it followed the collapse of living standards and the devaluation of the Nigerian currency caused by the Structural Adjustment Policy (SAP) of the government.

SAP has been the ultimate source of most of the political and economic turmoil on Nigerian campuses since 1986. How sensitive the government was to opposition to SAP could be seen even prior to implementation. It is widely believed that fear of student opposition to the SAP was the main reason for the Ahmadu Bello University (ABU) massacre, perpetrated on May 26, 1986 in response to a totally peaceful demonstration held the previous day. On that day, the forces of the ("kill-and-Go") Mobile Police were let on campus where they proceeded to hunt down students through the campus, into the dormitories, in the surrounding villages, shooting them on sight, and leaving more than 30 dead and many more injured. In the aftermath of the ABU massacre, NANS (National Association of Nigerian Students) was banned and it remains so to this day. The government's fear of academic criticism of SAP has led to the forced cancelling of lectures, workshops, conferences organized to discuss the government's policies. To call such meetings is often an invitation for meeting armed policemen at the university's door.

More recently the proposed World Bank loan to Nigeria, whose specific aim is to restructure educational system, has been the main source of conflict. The loan of \$125 million which is to be disbursed over three years period has met stiff opposition, because of its conditionalities. In the eyes of many in the academic community, these conditionalities give foreign agencies undue control over the country's educational process. The conditionalities most disturb Nigerians students and teachers include:

- the requirements that 50% of non-academic staff be laid off, in a period of three years;
- the consolidation of smaller departments into larger ones, which, it is feared, will leave many students stranded given the restricted number of students that are marked up for acceptance in the university system restructured by the World Bank;
- the allocation of a substantial part of the loan for the purchase of "standardized equipment," to be bought from manufacturers approved by WB—a clause which is seen as indicating that the loan is one more indirect gift to European or American companies;
- the allocation of millions of dollars to top-off the wages of expatriate teachers—again very much resented at a time when thousands of Nigerians PhDs are unemployed and Nigerians are already been squeezed to the bone under the burden of foreign debt repayments.

As opposition to the WB loan soared so did the repression by the government. In the days after the failed attempted coup of April 22, raids were conducted in the homes of teachers guilty of having publicly criticized the loan and the SAP. At the Obafemi Awolowo University of Ile-Ife Profs. Omotoye Olorode and Idowo Awopetu were arrested and detained for 91 days, and many others were declared wanted.

The ordeal of Olorode and Awopetu of OAU:

Toye Olorode, Professor of Botany and Awopetu, Professor of Zoology at the University of Ile-Ife were arrested in the early hours of May 2 and detained for 91 days without ever, to this day, being told the reasons for their arrests or having charges raised against them. According to their report, on May 2 police and SSS officers came to their homes with several vehicles. Officers armed with guns and batons surrounded their houses, ransacked their studies, presumably in search for "classified evidence." (Invitations by students and trade union leaders to give talks were confiscated apparently as "evidence.") Both were then brought to Lagos where they were detained at SSS headquarters for 22 days and later at military headquarters. Only after going on a hunger strike twenty days into their detention were they interrogated for the first time by

the SSS and later by an upper military panel. In no case were they told the reason for their arrest and detention. Instead they were questioned about their views on SAP, on the "political transition," and on the World Bank Loan, confirming their conviction that their arrest stemmed from their public criticism of government policies. Olorode and Awopetu, as many Nigerians today, were detained under Decree 2 which empowers the government to hold a person without charges up to six months without charging them.

While in jail Olorode and Awopetu were allowed no visits, they were deprived of their shoes (despite the cold and humidity in their cells) and their glasses. Their families had a difficult time to find out where they were held and why. Eventually, they were released on August 1. But in September they were compulsorily retired together with Prof. Ikime of Ibadan University by the President, General Babangida. Later, a Lagos High Court reinstated them.

The ordeal of Olorode and Awopetu is not unique. As the 1990 Committee for the Defense of Human Rights Report indicates, Nigeria has experienced a pattern of human rights violations, including extrajudicial killings, torture, and curtailment of political liberties. As for violation political liberties, the government has not recognized the parties that formed in anticipation of the transition to civilian rule, scheduled for 1992. It has imposed its own manufactured parties, drawing up their respective programs and manifestos without any popular participation. Finally, in the December 1990 local elections the government rejected secret balloting and forced people to vote by lining up behind the candidates they favored!

Excerpts from 1990 Annual Report on Human Rights in Nigeria by the Committee For the Defense of Human Rights

In 1990 President Ibrahim Babangida refused to officially recognize the National Association of Nigerian Students (NANS) while lifting the 20-month proscription of the Academic Staff Union of Universities (ASUU) on August 27.

The Student Union (Control of Activities) Decree 47, promulgated in 1989, was amply applied to curtail students activities and student rights. Many students and teachers arrested in 1990, while public lectures and conferences on social and economic affairs were frequently cancelled by government fiat. The following is a short chronology of violations of academic freedom (defined by the Kampala Declaration):

- January 26: authorities of the University of Lagos prevent NANS Executive from addressing a press conference at the campus Student Union Secretariat.
 - March 2: the police raids the University of Jos Student Union Secretariat, impounding documents belonging to NANS.
 - March 3: undergraduates of the National University at Nsuka who had gone to court to challenge their illegal expulsion are arrested by SSS (State Security Services) in High Court premises. They were later released.
 - April: Dr. Julius Ihonvbere of the University of Port Harcourt had his passport impounded by the SSS, he was told he was in great danger and he fled the country with his family.
 - May 2: Profs. Olorode and Awopetu of University of Ife arrested and held without charges for 91 days and then released.
 - May 14: students of the Adeyemi College of Education (Ondo) expelled for their role in the protest
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against the WB \$120 loan to the Universities.

- July: several students are refused entry entry into Lagos—no reasons given. Others are arrested and detained.
- July 3: Six NANS leaders are arrested while on visit at Ikere College.
- July 12: Sixteen NANS officials, including its President, Opeyemi Bamidele, are arrested and detained in Lagos on their way to deliver a protest letter to the Justice Minister.
- July 21: members of a NANS delegation on a peace mission to the Adeyemi College of Education (Ondo) are arrested; they are charged with unlawful assembly before a magistrate court which orders their detention at the Ado Ekiti prison.
- August: an attempt by the SSS to abduct Dr. Dipo Fasina was frustrated by OAU students who arrested three security men.

Harassment of human rights activists has also increased in 1990. Femi Falana, a civil rights lawyer, and Beko Kuti, head of the Nigerian Civil Liberties Organization, were kidnapped by officers who identified themselves as SSS. Scores of journalists have been arrested, detained and invited for "chats" with security men whenever their articles have been too critical of the government. Trade Unionists have been given harsh sentences for calling strikes. ASUU, the national academic staff union, was banned for 20 months. All these actions were made legally acceptable by a number of draconian Decrees promulgated during the period of military government beginning in 1984. Among them are Decree 2 and Decree 47, which put the government above the court system.

TANZANIA

On May 12, 1990 the University of Dar es Salaam was closed down following student demonstrations against the deteriorating conditions of academic life and government corruption. As a UDASA report on the University crisis indicates, the main issues were:

- (1) the declining allocation of government revenues to education (from 13.7% in 1970/71 to 6.5% in 1986/7 to 4% in 1989/90;
- (2) the declining standard of living of lecturers and the consequent brain drain (lecturers' real incomes are now a quarter of what they were in 1960s), a situation responsible for widespread demoralization and inability by many teachers to carry on their duties as they leave to find alternative means of survival;
- (3) deteriorating conditions of student life;
- (4) government corruption and lack of accountability, particularly in regard to university management.

In the course of the protest, students and teachers for the first time came together in a historic assembly to discuss their common fate. However, despite a consensus by the faculty that the students' issues were genuine ones, and despite the fact that on April 19 the students decided to go back to classes, the response of the President (who is also the Chancellor of the University) was a punitive one. On May 12 the students were given five hours to vacate the campus. Moreover, they were required to report weekly to the police, they were deprived of their stipend, they were not allowed to take employment to support

themselves. Meanwhile state owned presss launched a vilifying campaign againsts the students accusing them of being privileged "spoiled brats" and even traitors.

The University was reopened on January 1, 1991 but thirteen student leaders have been expelled and tension remains high in anticipation of the introduction of a costsharing scheme that will raise the cost of education to 300,000 shilling a year—a fee that makes it impossible for peasants or waged workers to afford a higher education for their children.

Useful addresses:

Civil Liberties Organisation
24, Mbonu Ojike Street, off Alhaji Masha Road
Surulere, Lagos
NIGERIA
Tel: 840288

Committee for the Defence of Human Rights
National Secretariat
8, Imaria Street
Anthony Village
P.O. Box 7247
Lagos
NIGERIA
Tel. 960363

Africa Watch
485 Fifth Avenue
New York, New York 10017
USA
Tel: (212) 972-8400

Science and Human Rights Program
American Association for the Advancement of Science
Directorate for Science and Policy Programs
1333 H Street, NW
Washington, DC 20005
USA
Tel: (202) 326-6600

University of Dar es Salaam Academic Staff Assembly
P.O. Box 35050
Dar es Salaam
TANZANIA

THE KAMPALA DECLARATION ON INTELLECTUAL FREEDOM & SOCIAL RESPONSIBILITY

PREAMBLE

Intellectual freedom in Africa is currently threatened to an unprecedented degree. The historically produced and persistent economic, political and social crisis of our continent continues to undermine development in all spheres. The imposition of unpopular structural adjustment programmes has been accompanied by increased political repression, widespread poverty and intense human suffering.

African people are responding to these intolerable conditions by intensifying their struggles for democracy and human rights. The struggle for intellectual freedom is an integral part of the struggle of our people for human rights. Just as the struggle of the African people for democracy is being generalised, so too is the struggle of African intellectuals for intellectual freedom intensifying.

AWARE that the African states are parties to international and regional human rights instruments including the African Charter on Human and People's Rights and CONVINCED that we, the participants in the Symposium on 'Academic Freedom and Social Responsibility of Intellectuals' and members of the African Intellectual community, have an obligation both to fight for our rights as well as contribute to the rights struggle of our people, we met in Kampala, Uganda, to set norms and standards to guide the exercise of intellectual freedom and remind ourselves of our social responsibility as intellectuals.

We have thus adopted the Kampala Declaration on Intellectual Freedom and Social Responsibility on this 29th day of November, 1990.

May the Declaration be a standard-bearer for the African intellectual community to assert its autonomy and undertake its responsibility to the people of our continent.

CHAPTER I: FUNDAMENTAL RIGHTS AND FREEDOMS

Section A: Intellectual Rights and Freedoms

Article 1

Every person has the right to education and participation in intellectual activity.

Article 2

Every African intellectual shall be entitled to the respect of all his or her civil, political, social, economic and cultural rights as stipulated in the International Bill of Rights and the African Charter on Human and People's Rights.

Article 3

No African intellectual shall in any way be persecuted, harassed or intimidated for reasons only of his or her intellectual work, opinions, gender, nationality or ethnicity.

Article 4

Every African intellectual shall enjoy the freedom of movement within his or her country and freedom to travel outside and re-enter the country without let, hindrance or harassment. No administrative or any other action shall directly or indirectly restrict this freedom on account of a person's intellectual opinions, beliefs or activity.

Article 5

Every African intellectual and intellectual community has the right to initiate and develop contacts or establish relations with other intellectuals and intellectual communities provided they are based on equality and mutual respect.

Article 6

Every African intellectual has the right to pursue intellectual activity, including teaching, research and dissemination of research results, without let or hindrance subject only to universally recognized principles of scientific enquiry and ethical and professional standards.

Article 7

Teaching and researching members of staff and students of institutions of education have the right, directly and through their elected representatives, to initiate, participate in and determine academic programmes of their institutions in accordance with the highest standards of education.

Article 8

Teaching and researching members of the intellectual community shall have security of tenure. They shall not be dismissed or removed from employment except for reasons of gross misconduct, proven incompetence or negligence incompatible with the academic profession. Disciplinary proceedings for dismissal or removal on grounds stated in this article shall be in accordance with laid down procedures providing for a fair hearing before a democratically elected body of the intellectual community.

Article 9

The intellectual community shall have the right to express its opinions freely in the media and to establish its own media and means of communication.

Section B: Right to form Autonomous Organisations

Article 10

All members of the intellectual community shall have the freedom of association, including the right to form and join trade unions. The right of association includes the right of peaceful assembly and the formation of groups, clubs and national and international associations.

Section C: Autonomy of Institutions

Article 11

Institutions of higher education shall be autonomous of the State or any other public authority in conducting their affairs, including the administration, and setting up their academic, teaching, research and other related programmes.

Article 12

The autonomy of institutions of higher education shall be exercised by democratic means of self-government, involving active participation of all members of the respective academic community.

CHAPTER II: OBLIGATIONS OF THE STATE

Article 13

The State is obliged to take prompt and appropriate measures in respect of any infringement by State officials of the rights and freedoms of the intellectual community brought to its attention.

Article 14

The State shall not deploy any military, paramilitary, security, intelligence, or any like forces within the premises and grounds of institutions of education.

Provided that such deployment is necessary in the interest of protecting life and property in which case the following conditions shall be satisfied:

- a) There is clear, present and imminent danger to life and property; and
- b) The head of the institution concerned has extended a written invitation to that effect; and
- c) Such invitation has been approved by an elected standing committee of the academic community set up in that behalf.

Article 15

The State shall desist from exercising censorship over the works of the intellectual community.

Article 16

The State is obliged to ensure that no official or any other organ under its control produces or puts into circulation disinformation or rumours calculated to intimidate, bring into disrepute or in any way interfere with the legitimate pursuits of the intellectual community.

Article 17

The State shall continuously ensure adequate funding for research institutions and institutions of higher education. Such funding shall be determined in consultation with an elected body of the institution concerned.

Article 18

The State shall desist from preventing or imposing conditions on the movement or employment of African intellectuals from other countries within its own country.

CHAPTER III: SOCIAL RESPONSIBILITY

Article 19

Members of the intellectual community are obliged to discharge their roles and functions with competence, integrity and to the best of their abilities. They should perform their duties in accordance with ethical and highest scientific standards.

Article 20

Members of the intellectual community have a responsibility to promote the spirit of tolerance towards different views and positions and enhance democratic debate and discussion.

Article 21

No one group of the intellectual community shall indulge in the harassment, domination or oppressive behaviour towards another

group. All differences among the intellectual community shall be approached and resolved in the spirit of equality, non-discrimination and democracy.

Article 22

The intellectual community has the responsibility to struggle for and participate in the struggle of the popular forces for their rights and emancipation.

Article 23

No member of the intellectual community shall participate in or be a party to any endeavour which may work to the detriment of the people or the intellectual community or compromise scientific, ethical and professional principles and standards.

Article 24

The intellectual community is obliged to show solidarity and give sanctuary to any member who is persecuted for his or her intellectual activity.

Article 25

The intellectual community is obliged to encourage and contribute to affirmative actions to redress historical and contemporary inequalities based on gender, nationality or any other social disadvantage.

CHAPTER IV: IMPLEMENTATION

Article 26

Members of the intellectual community may further elaborate and concretize the norms and standards set herein at regional and pan-African level.

Article 27

It is incumbent on the African intellectual community to form its own organisations to monitor and publicize violations of the rights and freedoms stipulated herein.

RECOMMENDATIONS AND RESOLUTIONS OF THE SYMPOSIUM ON ACADEMIC FREEDOM AND SOCIAL RESPONSIBILITY OF INTELLECTUALS. KAMPALA, November 29th 1990

THE STATE AND ACADEMIC FREEDOM

- * The symposium condemned violations of the autonomy of academic institutions through closures, invasion by security, police or military forces, censorship of intellectual work, restrictions on freedom of association, movement, speech and publishing.
- * The symposium demanded the immediate and unconditional release of all intellectuals and their families illegally or extra-judicially detained or imprisoned, the return of those exiled, and an end to all harassment, intimidation and persecution of intellectuals, on the basis of their work.
- * The symposium called upon all states to adequately resource academic and intellectual endeavours because without this there can be no academic freedom.

THE INTELLIGENTSIA AND INTELLECTUAL FREEDOM

- * The symposium called for the creation of a Pan African Organisation to monitor, document and disseminate information on abuses of academic and intellectual freedom and repression, harassment, intimidation and detention of intellectuals.
- * The symposium called for the strengthening and democratisation of existing networks and associations of the African intellectual community through the increased representation of marginalised groups such as women, young and unestablished scholars.
- * The symposium called for the transformation of administrative structures, procedures and practices in academic institutions to make these more representative of and accountable to teachers, researchers, students and others working within them.
- * The symposium called for the promotion of participatory and democratic methods of teaching, research and publishing, and high professional and ethical standards.
- * The symposium called upon African academic institutions to promote intellectual exchanges among African scholars, provide sanctuary to exiled scholars, and to offer all African academics equal terms of service, remuneration and treatment regardless of nationality.
- * The symposium called upon African intellectuals to develop solidarity and supportive networks to defend the collective interests of the intellectual community.

- The symposium called upon African intellectuals to consciously develop and widen intellectual space through the development of research paradigms and methodologies which do not reproduce existing social and national divisions, particularly those of gender, class, and imperialism.
- In order to facilitate intellectual development, the symposium recognised the need to encourage publishing, seminars and other forms of exchange amongst intellectuals in the region, particularly to increase the involvement of women and less established scholars.

CIVIL SOCIETY, INTELLECTUAL FREEDOM AND SOCIAL RESPONSIBILITY

- The symposium called upon intellectuals to support, work with and participate in popular social movements and democratic struggles against oppression of African people on the grounds of class, gender, race, ideology, nationality, ethnicity, religion and political affiliation.
- The symposium emphasized the need for researchers to respect the communities they research and to return the products of such research to those communities in an accessible and beneficial form.
- The symposium supported the establishment of alternative forms and structures for research and education such as those already set up by popular organisations and groups outside academic institutions.

AFRICAN INTELLECTUALS AND INTERNATIONAL DONORS

- The symposium called for the establishment of a code of conduct that would be mutually binding between donors and recipient researchers in Africa, and for African intellectuals to constantly review both their own and donor performance.
- The symposium urged intellectuals to endeavour to find alternative and, wherever possible, indigenous sources of funding.
- The symposium condemned those African and non-African intellectuals who make their services available to governments repressive of the rights of local intellectuals.
- The symposium appreciated the efforts of those non-African intellectuals who have declared solidarity with the struggle for intellectual freedom on the continent.

RESOLUTIONS

The symposium called for the adoption of the following measures:

1. That the Kampala Declaration, issued from the same symposium, be tabled at the Organisation of African Unity (OAU).
2. That an Organizing Committee of 10 persons, comprising five (5) academic staff and five (5) students, representing the various national academic staff and student associations, be established to coordinate and bring together a Pan-African Organization that would:
 - a) Monitor issues concerning the violation of academic and intellectual freedom in solidarity with other bodies, (including Africa Watch and Amnesty International);
 - b) Prepare documents, recommend the nature, scope, extent and viability of such a Pan-African body;
 - c) Explore ways and means of linking with already-existing Pan-African Organizations (such as the Association of African Universities);
 - d) Find out ways and means of strengthening such organizations for the purposes of monitoring violations of intellectual and academic freedom;
 - e) Form a mobilizing committee to facilitate the fuller participation of women and younger scholars in teaching, research and publishing and finally to call a conference of delegates of staff and student associations of African institutions of learning to discuss and launch the organisation.
3. That the eight (8) representatives of staff and student association present at the symposium should constitute the first organizing committee.
4. That the aforesaid Committee shall operate for a period of one year during which it shall have achieved its purpose.
5. That a newsletter charged with informing various academic associations of issues concerning the violation of intellectual and academic freedom be established.
6. That CODESRIA provide both the funding and technical assistance for the launching and operation of the aforementioned committee and the newsletter.
7. That CODESRIA should, in collaboration with other existing African organisations and networks, set up a committee to formulate a code of conduct that would be mutually binding between donors and recipient researchers.

The following officers were elected:

Chairman of the Organizing Committee:
PROF. ISSA SHIVJI,
Dar es Salaam University, Tanzania

Editor of the Newsletter:
DR. MOUSA SAMBA,
Sheikh Anta Diop University, Dakar, Senegal

Organizing committee:

1. Mr. Mousa Samba, Rep. SAES, Sheikh Anta Diop University, Dakar, Senegal.
2. Mr. Uzo, Former Secretary General/Member, Nigeria Academic Staff Union
3. Mr. Fred Ijuko, Chairman MUASA, Makerere University.
4. Mr. Nibert Mao, President, Students' Guild, Makerere University, Kampala.
5. Mr. K. Tambila, UDASA, University of Dar es Salaam
6. Miss L. Kumalo, Representing the Students Council, University of Swaziland.
7. Mr. A. Shabanga, National Association of Teachers, Swaziland.
8. Mr. T. Shonyiwa, Association of University Teachers, Zimbabwe.

THE LIMA DECLARATION

During the past two decades there has risen an alarming tendency to undermine, restrict or suppress academic freedom and autonomy of institutions of higher education. This has a direct relation to a contracting system of higher education justified most often in terms of economic austerity and/or political expediency. The most alarming effect of this has been the increasing violations of human rights of teachers, students, researchers and educational writers irrespective of sociopolitical system throughout the world.

The original idea of a Declaration emerged out of a WUS workshop held in Nantes in 1984 which launched a new WUS programme - "Academic Solidarity and Cooperation" - under the responsibility of a special commission. The commission, after organising an international workshop in Madrid in September 1986, requested Manfred Nowak, now Director of the Netherlands Institute of Human Rights, to propose a draft Declaration. The idea of a Declaration sprang out of the realisation that although there was extensive international instruments and guidance in the field of human rights in general, there was a lack of it in the field of higher education which covered academic freedom and autonomy.

The first draft of the Declaration was written by January 1987 and the Commission took on an arduous process to discuss, test and revise it in consultation with the international network of WUS national committees both at a national and regional level. The draft was also sent to over fifty specialist organisations for comments and their suggestions proved very useful for the final formulation of the Declaration. The draft was revised three times before it was approved by the WUS International General Assembly in September 1988.

There have been commendable attempts by university communities both at the national and international levels to respond to the various challenges emerging from the erosion of academic freedom. However, many attempts have faced problems without having a clear concept about academic freedom, its various dimensions and implications. This Declaration, WUS hopes, in this year of the 40th Anniversary of the Universal Declaration of Human Rights, could pave the way for more understanding, more discussion and more action towards defending academic freedom and autonomy of institutions of higher education.

WUS has resisted the temptation to proclaim the Declaration as International. The "Lima Declaration" allows the international community to move in the direction of proclaiming an International Declaration on Academic Freedom and Autonomy of Institutions of Higher Education through a process of discussion and consultation at a higher level and taking the present Declaration as a starting point. For this purpose we offer some suggestions for action.

LIMA DECLARATION ON ACADEMIC FREEDOM AND AUTONOMY OF INSTITUTIONS OF HIGHER EDUCATION

PREAMBLE

The Sixty Eighth General Assembly of WORLD UNIVERSITY SERVICE, meeting in Lima from 6 to 10 September 1988, the year of the 40th anniversary of the Universal Declaration of Human Rights,

Bearing in mind the extensive set of international standards in the field of human rights which the United Nations and other universal and regional organizations have established, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the UNESCO Convention against Discrimination in Education,

Convinced that universities and academic communities have an obligation to pursue the fulfillment of economic, social, cultural, civil and political rights of the people,

Emphasizing the importance of the right of education for the enjoyment of all other human rights and the development of human persons and peoples,

Considering that the right to education can only be fully enjoyed in an atmosphere of academic freedom and autonomy of institutions of higher education,

Recognizing the essential vulnerability of the academic community to political and economic pressures,

Affirming the following principles pertaining to education:

- a) Every human being has the right to education.
- b) Education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights, fundamental freedoms and peace. Education shall enable all persons to participate effectively in the construction of a free and egalitarian society, and promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups. Education shall promote mutual understanding, respect and equality between men and women. Education shall be a means to understand and contribute to the achievement of the major goals of contemporary society such as social equality, peace, equal development of all nations and the protection of the environment.
- c) Every State should guarantee the right to education without discrimination of

any kind as to race, colour, sex, language, religion, political or other status. Every State should make available an adequate proportion of its national income to ensure in practice the full realization of the right to education.

- d) Education shall be an instrument of positive social change. As such, it should be relevant to the social, economic, political and cultural situation of any given country, contribute to the transformation of the status quo towards the full attainment of all rights and freedoms, and be subject to permanent evaluation.

Proclaims this Declaration

DEFINITION

1. For the purpose of this Declaration

- a) "Academic freedom" means the freedom of members of the academic community, individually or collectively, in the pursuit, development and transmission of knowledge, through research, study, discussion, documentation, production, creation, teaching, lecturing and writing.

- b) "Academic community" covers all those persons teaching, studying, researching and working at an institution of higher education.
- c) "Autonomy" means the independence of institutions of higher education from the State and all other forces of society, to make decisions regarding its internal government, finance, administration, and so establish its policies of education, research, extension work and other related activities.
- d) "Institutions of higher education" comprise universities, other centres of post-secondary education and centres of research and culture associated with them.

- 2. The above mentioned definitions do not imply that the exercise of academic freedom and autonomy is not subject to limitations as established in the present Declaration.

ACADEMIC FREEDOM

- 3. Academic freedom is an essential precondition for those educational, research, administrative and service functions with which universities and other institutions of higher education are entrusted. All members of the academic community have the right of fulfill their functions without discrimination of any kind and without fear of interference or repression from the State or any other source.
- 4. States are under an obligation to respect and to ensure to all members of the academic community, those civil, political, economic, social and cultural rights recognized in the United Nations Covenants on Human Rights. Every member of the academic community shall enjoy, in particular, freedom of thought, conscience, religion, expression, assembly and association as well as the right to liberty and security of person and liberty of movement.
- 5. Access to the academic community shall be equal for all members of society without any hindrance. On the basis of ability, every person has the right, without discrimination of any kind, to become part of the academic community, as a student, teacher, research, worker or administrator. Temporary measures aimed at accelerating de facto equality for disadvantaged members of the academic community, shall not be considered as discriminatory, provided that these measures are discontinued when the objectives of equality of opportunity and treatment have been achieved. All States and institutions of higher education shall guarantee a system of stable and secure employment for teachers and researchers. No member of the academic community shall be dismissed without a fair hearing before

a democratically elected body of the academic community.

- 6. All members of the academic community with research functions have the right to carry out research work without any interference, subject to the universal principles and methods of scientific enquiry. They also have the right to communicate the conclusions of their research freely to others and to publish them without censorship.
- 7. All members of the academic community with teaching functions have the right to teach without any interference, subject to the accepted principles, standard and methods of teaching.
- 8. All members of the academic community shall enjoy the freedom to maintain contact with their counter parts in any part of the world as well as the freedom to pursue the development of their educational capacities.
- 9. All students of higher education shall enjoy freedom of study, including the right to choose the field of study from available courses and the right to receive official recognition of the knowledge and experience acquired. Institutions of higher education should aim to satisfy the professional needs and aspirations of the students. States should provide adequate resources for students in need to pursue their studies.
- 10. All institutions of higher education shall guarantee the participation of students in their governing bodies. All States and institutions of higher education shall respect the right of students, individually or collectively to express opinions on any national and international question.
- 11. States should take all appropriate measures to plan, organize and implement a higher education system without fees for all secondary education graduates and other people who might prove their ability to study effectively at that level.
- 12. All members of the academic community have the right to freedom of association with others, including the right to form and join trade unions for the protection of their interests. The unions of all sectors of the academic communities should participate in the formulation of their respective professional standards.
- 13. The exercise of the rights provided above carries with it special duties and responsibilities and may be subject to certain restrictions necessary for the protection of the rights of others. Teaching and research shall be conducted in full accordance with professional standards and shall respond to contemporary problems facing society.

AUTONOMY OF INSTITUTIONS OF HIGHER EDUCATION

- 14. All institutions of higher education shall pursue the fulfillment of economic, social, cultural, civil and political rights of the people and shall strive to prevent the misuse of science and technology to the detriment of those rights.
- 15. All institution of higher education shall address themselves to the contemporary problems facing society. To this end, the curricula of these institutions, as well as their activities shall respond to the needs of society at large. Institutions of higher education should be critical of conditions of political repression and violations of human rights within their own society.
- 16. All institutions of higher education shall provide solidarity to other such institutions and individual members of their academic communities when they are subject to persecution. Such solidarity may be moral or material, and should include refuge and employment or education for victims of persecution.
- 17. All institutions of higher education should strive to prevent scientific and technological dependence and to promote equal partnership of all academic communities of the world in the pursuit and use of knowledge. They should encourage international academic cooperation which transcends regional, political and other barriers.
- 18. The proper enjoyment of academic freedom and the compliance with the responsibilities mentioned in the foregoing articles demand a high degree of autonomy of institutions of higher education. States are under an obligation not to interfere with the autonomy of institutions of higher education as well as to prevent interference by other forces of society.
- 19. The autonomy of institutions of higher education shall be exercised by democratic means of self-government, which includes the active participation of all members of the respective academic communities. All members of the academic communities shall have the right and opportunity, without discrimination of any kind, to take part in the conduct of academic and administrative affairs. All governing bodies of institutions of higher education shall be freely elected and shall comprise members of the different sectors of the academic community. The autonomy should encompass decisions regarding administration and determination of policies of education, research, extension work, allocation of resources and other related activities.