

# COMMITTEE FOR ACADEMIC FREEDOM IN AFRICA

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## INTRODUCTION

The third issue of the CAFA Newsletter updates developments in Africa, while introducing a topic that we consider of importance for any discussion of academic freedom: the right to study and the dangers of the present "enclosure of Knowledge." Our article on this topic shows that institutions like the World Bank, which plan to limit the access of Africans to higher education, do violate academic freedom.

Our update focusses on the recent ban by the Nigerian government of the Academic Staff Union of Universities (ASUU), and the expulsion of students at the University of Dar es Salaam, after their protest of a "cost-sharing" scheme imposed by the Tanzanian government. Both violations of academic freedom came in response to student and faculty protests against the implementation of a Structural Adjustment Program (SAP), which demanded drastic cuts in the funding of higher education. This should not be surprising to readers of our newsletters. As we stressed in our previous issues, a major source of recent violations of academic freedom in Africa have been the policies pursued by the World Bank (WB) and the International Monetary Fund (IMF). Such policies, which we have defined as "academic exterminism," make provisions of new loans dependent on cuts in social spending, beginning with cuts in university budgets so extensive as to amount to the virtual dismantling of the university system.

*(Continued on p.16)*

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# Academic Freedom and the Enclosure of Knowledge in Africa

Ever since the formation of CAFA, developments in Africa have forced us to rethink the concept of academic freedom and ask: do policies that reduce access to higher education for the majority of a country's people violate academic freedom? Such questions are urgent today given that most of the violations of academic freedom in Africa (arrests of faculty and students, bans on academic and student organizations) arise in response to protest against tuition increases, the defunding of academic institutions and the pauperization of the academic staff. Is the relation between the curtailment of educational access and the bans and the arrests to which students and faculty have been subjected a coincidence? Or can we see in this increasingly obvious connection a deeper meaning? Could it be that the very reduction of access to education constitutes a violation of academic freedom? This is the claim that this issue of the CAFA newsletter explores, and it is a claim that we wish to open for debate with our colleagues in North America and Africa.

## Privilege, Property and the Social Common

The concept of academic freedom has had a long, controversial and open-ended history. Academic freedom has been historically defended on the basis of two different historical models of knowledge, and two different concepts of its producers, transmitters and accessors. The first which prevailed in the medieval period was based on feudal *privilege*. The second, which emerged in the seventeenth and eighteenth centuries in the context of demands for intellectual tolerance, was based on capitalist *proprietaryship*. There is, however, a third form of academic freedom that is increasingly being argued for by academicians in Africa and other parts of the "Third World." It is academic freedom as the *right to study*, a right based on the realization

that Knowledge is a social *common*. From this viewpoint, academic freedom must be understood as:

- the freedom to teach and research;
- the freedom to learn and study;
- the freedom of access to knowledge production.

The first is most relevant to academicians, the second to students and the third to all those who are not presently in the universities and yet have a direct stake in the ability of the new generations to pursue an academic degree. The first two "freedoms" have been the mainstays of academic debates in North America in the twentieth century, and are widely recognized in university charters in Africa. It is worthwhile to recapitulate their development before discussing the third type of academic freedom. For *their* justification has changed in this millennium.

## Medieval Roots

The European roots of the first two freedoms go back to the struggles waged by teachers and students in the Middle Ages at the universities of Bologna and Paris. The very terms *university* and *college* arose out of these struggles in defense of their respective freedoms. As Haskins pointed out:

Historically, the word university has no connection with the universe or the universality of learning; it denotes only the totality of a group, whether of barbers, carpenters, or students did not matter. The students of Bologna organized such a university as a means of protection against townspeople, for the price of rooms and necessities rose rapidly with the crowd of new tenants and consumers, and the individual student was helpless against such profiteering. United, the students could bring the town to terms by the

threat of departure as a body, secession, for the university, having no buildings, was free to move, and there were many historic examples of such migrations. (Haskins, 1957: p. 9).

The Bologna university students also united against their professors and set for them a rigid, some would say draconian, code of rules to guarantee that the professors would give them their money's worth. The "college" itself arose out of a housing price crisis, which most severely affected the poor students:

Originally merely an endowed hospice or hall of residence, the college early became an established unit of academic life at many universities. "The object of the earliest college-founders was simply to secure board and lodging for poor scholars who could not pay for it themselves." (Haskins, 1957: p. 18)

Medieval professors developed their "university," in response to student demands and to the extra-university authorities. Like the students, they formed a guild to manage their affairs and deal with questions of administration. Thus universities became self-governing and self-respecting.

The "freedom to learn" and the "freedom to teach" were understood in medieval Europe as the *privileges* (or "private laws") of a specific profession, granted by the Emperor, the Pope or the local commune. These scholarly privileges were patterned on those granted to the merchants:

The increasing tendency in the twelfth century for scholars to travel long distances to attend famous schools or to sit at the feet of noted scholars appears to have brought this matter to the fore. And to meet their need use was made, on behalf of the scholars, of the *privilegium* or private law which was also utilities for traveling merchants...For both groups...the avowed purpose of the *privilegia* was to compensate for the disadvantages attaching to the traveler's status. (Kibre, 1962: p. 9)

Academic privileges evolved into an elaborate set of protections ranging from the ability of a scholar to "expel a smith or anyone living in his house, if he should make disturbing noises," to the right to be protected under the city laws without

having to accept military service, or the right to teach Aristotle's logic. (Kibre, 1962: pp. 15, 29; Beck, 1965: pp. 40-42; Hofstadter, 1955: pp. 8-11). Academic privileges were justified with the claim that "because of the learning of the [scholar] the world will be guided and illuminated," as a sixteenth century student of privileges, Pierre Rubuffi, argued. (Kibre, p. 13). And universities were special cases of a general tendency to organize urban life by crafts or guilds:

Each of the [crafts] had the right to reserve to its members the practice of the craft to which it devoted itself. They were thus essentially privileged bodies, as far removed as possible from industrial liberty. They were founded on exclusivism and protection. (Pirenne, 1937: pp. 180-181)

Thus academic freedom was not originally only a matter of freedom of ideas and discourse. It consisted in the ability to control and protect the material conditions of intellectual production and transmission, including travel, housing, environmental conditions, and finally, textual and oral communication. The privileges or "freedoms" accrued to scholars in the medieval period arose from the recognized, but continually contested, power of intellectual production and transmission, just as the privileges of the merchants and smiths resulted from similar claims and struggles.

## The Transition to Capitalism

The "freedom to teach" and "the freedom to learn" in Europe were given a new meaning and justification in the post-Reformation transition to capitalism. The model of social relations in this period became the contractual freedom to exchange, replacing the privilege to governmental protection and legal immunity. The "freedom to teach" was recognized as the right of each professor to present her/his knowledge, ideas, scientific results in the most appropriate manner. Just as the private proprietors had to right to exchange, as they thought acceptable, their own property onto a market, so too the professor had the right to present his/her wares in the marketplace of ideas. Restraint on exchange was increasingly considered as questionable (within

limits) as restraint on trade.

The professors could defend their freedom to teach under the rubric of freedom of exchange. Likewise university students could demand their freedom to learn under the same rubric; for every seller of ideas, knowledge and scientific techniques, calls for a buyer who has the right to refuse it (within limits). The students could defend their freedom to learn by stipulating limits on their contractual exchange with the university and the professors. Once conceptualized on the model of commodity exchange, studying ceased to be a "bond" of discipleship or apprenticeship involving extra-contractual obligations. One had the right to set conditionalities on the learning process, just as the buyer at a market had the right to negotiate not only the price, but also the quality and the conditions of delivery of the commodity purchased.

### Free Exchange

This model of academic freedom became the dominant one in the Europe and North America in the 19th and 20th centuries. The German universities of the pre-fascist period codified it as *Lernfreiheit* (freedom to learn) and *Lehrfreiheit* (freedom to teach):

When the German professor spoke of academic freedom, he referred to a condition summed up by two [above] words....By *Lernfreiheit* he meant the absence of administrative coercion in the learning situation. He referred to the fact that German students were free to roam from place to place, sampling academic wares; that wherever they lighted, they were free to determine the choice and sequence of courses, and were responsible to no one for regular attendance; that they were exempted from all tests save the final examination; that they lived in private quarters and controlled their private lives....By *Lehrfreiheit*, the German educator meant two things. He meant that the university professor was free to examine bodies of evidence and to report his findings in lecture or published form—that he enjoyed freedom of teaching and freedom of inquiry...in addition, [it] also denoted the paucity of administrative rules within the teaching situation... Thus, academic freedom...was not simply the right of professors to speak without fear or favor, but the

atmosphere of consent that surrounded the whole process of research and instruction. (Metzger, 1955: pp. 112-113)

The "free exchange" model has been to this day the basis of most definitions of academic freedom, although there have been many heated debates concerning the limits and precise content of this principle. In the United States, in the 1940s and 1950s, many right-wing intellectuals rejected the "superstitions of 'academic freedom'" which presumably shielded left-wing professors from dismissal in the McCarthy purges, (Buckley, 1958); however, in the 1980s the right-wing is frequently found to be defender of these same "superstitions" against "political correctness" rules applied to academic discourse. Similarly, the spirit of *Lernfreiheit* blossomed on North American campuses in the 1960s, so that the notion of the university authorities being *in loco parentis* became antiquated, and college students, who in the past had been compelled even to attend chapel, established that

...the academic freedom of students requires their participation in rule making as well as in disciplinary proceedings, if not complete self government in students' affairs that do not bear directly on the education functions of the institution." (Machlup, 1971: p. 9)

However, many past defenders of students' rights find today to their chagrin that what they fought for is now being reduced to "consumer rights."

### The Commons of Knowledge

Throughout all these controversies and redefinitions, the model of "free exchange," has shaped the dominant notion of academic freedom. Yet, even the free-exchange notion of academic freedom has often been justified by an appeal to the "common good." In 1940 the American Association of University Professors argued that

Institutions of higher education are conducted for the *common good* and not to further the interest of either the individual teacher or the institution as a whole. The *common good* depends upon the free search for truth and its free exposition. Academic freedom is essen-

tial to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. (AAUP, 1940: p. 2) [my italics]

Whatever one thinks of such an argument, this justificatory route seems inevitable in the case of knowledge and the means of its production and transmission. For Knowledge is *the* exemplary social good: it is socially produced; it is difficult, if not impossible, to restrict its circulation and reproduction; it cannot, in a word, be owned, yet it is a *source* of wealth and is wealth *in itself*. Indeed, Knowledge is a prime example of non-commodifiable wealth. A mathematical theorem, e.g., cannot be patented or copyrighted, although a book or software program utilizing the theorem can. Most of what is considered knowledge at the university level is non-commodifiable knowledge-wealth. Thus if we take seriously the AAUP's claim that academic freedom is justified on the basis of its contribution to the common good, we confront the conflict between private and social values. It is in consideration of this common sociality of knowledge that the third kind of academic freedom must be understood.

Knowledge in the form studied and developed in the university is not a commodity that is owned and ownable; it is part of the social common; it is a "common good," like the atmosphere, the billions of years of biological experience wired into our body, or the sunlight bathing the earth. Implicit in the status of a common is a general right to access. This implies that knowledge is our "second nature," and any attempt to hinder access to it is as illegitimate as the attempt to hinder access to atmospheric oxygen, to bodily genetic information or to the sunlight.

### Language and the Common Good

But we need not rely on analogies drawn from nature to provide a foundation for the notion of academic freedom that is advocated here. We have other crucial examples of "common (social) goods." The most obvious one is Language, which is admit-

tedly a social product, whose producers cannot privatize and claim as their own property. If I "coin" a word, or forge a new grammatical construction, I enrich the language, but I cannot force others to *not* use the word or construction, nor can I impel them to *pay* me if they do. To restrict or commodify language use in the form of single semantic or grammatical items (such as words or constructions) is clearly a violation of the very condition and intent of linguistic production. This is not to say that it is unthinkable for such a violation to be attempted, but its fate is likely to be the one Locke note:

...the great Augustus himself, in the possession of that power which ruled the world, acknowledged he could not make a new Latin word: which was as much to say, that he could not arbitrarily appoint what idea any sound should be a sign of, in the mouths and common language of his subjects. (Locke, 1959: pp. 12-13)

Surely anyone trying to physically or intellectually restrict another's access to learning the "common language" would be considered a linguistic or epistemological criminal. So too would anyone trying to prevent another from contributing to the semantic or grammatical production of the "common language." *For our "common language" is not only an area of freedom and social wealth, it is also a necessary condition of human existence.* Denial of access would be tantamount to intellectual murder, while hindering others from contributing would be tantamount to intellectual theft.

Today some *kinds* of linguistic production *are* commodified and access to them *is* restricted. Copyright laws more and more are restricting our ability to freely reproduce specified lengths of "protected" texts. But when we compare the quantity of "protected" to "unprotected" speech and writing, we find that the ratio is still small. There is an even more crucial distinction than that existing between commodities and noncommodities: the distinction between Language and any particular linguistic production (*Langue/Parole*). Here too there is commodification, especially with the rise of "programming languages," but no possible claim can be made on the semantic and grammatical rules and

structures that constitute "the common language."

We can certainly imagine a free market utopia, where even language is totally commodified: e.g., a world where we would have to pay for each word and grammatical rule we use to competing linguistic corporations (with a higher price for *le mot juste*), complete with a language police ready to punish any semantic scofflaws. It is arguable that this is the history of language in class societies; but, if so, it is a history *de facto* and not *de jure*. This is no accident, for the very commonness and freedom of Language (in the sense of it as being non-commodifiable) is crucial to the social coordination which even the most exploitative social system requires.

The argument for access to knowledge is a variant of the somewhat less contested claim for free access to language. It would be legally ludicrous for anyone to try to copyright a grammatical construction or prevent others from using a word s/he "coined." Likewise, any legal or social system that restricted access to Knowledge would be illegitimate. Knowledge, like Language is a essentially a social product, indispensable for individual and collective life, and not completely commodifiable. First, its units—concepts, ideas, styles, methodologies, genres—are not identifiable with particular "tokens" like books, interviews, lyrics, or legal documents. There is a widespread inter-medium aspect of human knowledge that makes it profoundly non-idiosyncratic in character. Second, knowledge requires an inter-subjective verification; thus its production is ultimately consensual. Third, knowledge production is collective and requires specific material conditions. This is increasingly true with the development of the world market which, willingly or not, has brought into the material production of every form of knowledge the effort of most people on the planet.

The cruciality of knowledge for social and individual reproduction is now a commonplace. Knowledge has become as essential as the atmosphere for the continuation of human existence. It is our collective second nature. We can imagine a new society rejecting the scientific techniques, philosophies, literatures of the world's people, but this very act of rejection would imply a knowledge of

the Knowledge rejected.

We can try to completely commodify knowledge, but we would end in an infinite regress: in order to buy a commodity we must know whether, how, when, where this knowledge will be useful. However, if this collateral knowledge is a commodity, then we must buy the collateral knowledge that knowledge is useful. Clearly, we may have to buy all the available knowledge before we can buy a toothbrush!

#### Free Access to Knowledge

If Knowledge as an object is a common product, a collective property essential to our existence, then any restriction to access is illegitimate. This is the basis of the third form of academic freedom: *freedom of access to Knowledge and the means of knowledge production*. Everyone has this academic freedom.

This third form of academic freedom arises from looking at Knowledge as an *object*. This is different from the "human capital" approach to knowledge, typical of the "economics of education." Economists of education have argued that someone who has studied at school or university will have a higher income flow throughout his/her life, and that economic systems investing a large percentage of their GNPs in education and research will have higher "growth" rates. (Machlup, 1962: pp. 51-140; Cosin, 1972) These economists try to disentangle the effect of other variables on an individual and social plane, to calculate the ratio between education expenditures and income increases. Thus they bypass the question of Knowledge as a social *object*, to focus only on individuals or societies as economic *subjects*. This however is an arbitrary move. It can be compared to the attempt to calculate the amount of income one can obtain by speaking or writing, relative to other activities, in order to price its worth, without considering that (a) speaking and writing depend upon the existence of an object, Language, that is a common good, and (b) the wealth created by speaking and writing, is not measurable by the individual income-flow it presumably elicits. To the economist, Knowledge, like Language, is an external good, whose "free" status can be totally ignored. The economists who examine

the universities only ask how Knowledge stimulates the buyers' future income. They seem uninterested in the source of this wealth and the immense forces producing it! Nor have they been concerned about the ethics of access to it and the means to best preserve or stimulate it.

Once we recognizes the distributionist ethics implicit in the existing body of Knowledge and of the means of its production, the human capital approach very quickly appears either unethical or irrelevant; just as many cost-benefit analyses of health care become unethical once access to life is considered as a human right.

The right of access to the common of knowledge calls for a non-commodity-exchange view of academic freedom. This right is increasingly being articulated by African scholars and human rights theorists. The "Kampala Declaration on Intellectual Freedom and Social Responsibility" adopted in Kampala on Nov. 29, 1990, begins with the affirmation of this right. Article I of Section A ("Intellectual Rights and Freedoms") of Chapter I ("Fundamental Rights and Freedoms") reads:

Every person has the right to education and participation in intellectual activity.  
(CODESRIA 1990).

In the same year the University of Dar es Salaam Academic Staff Assembly proclaimed its "Declaration of Academic Freedom and Social Responsibility of Academics." It too begins with "the right of every resident to wholesome education" and goes on to place the following obligation on the state:

The State should make available an adequate proportion of the national income to ensure in practice the full realization of the right to education. The State shall bind itself constitutionally to provide a nationally agreed minimum proportion of the national income for education. (UDASA 1990)

This new right to education rejects the commodity-exchange view of knowledge and education by making access a right that *should not be determined by the income of the individual or the whims of the state*.

A view of academic freedom based on the

realization that knowledge is a social common supports this right and explains its present saliency. As it often happens in history, *only when a common is being enclosed is its value sufficiently appraised*. Therefore, any organization like the World Bank that promotes, plans and organizes this enclosure of Knowledge stands in direct violation of academic freedom in this sense.

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# THE NIGERIAN UNIVERSITY TEACHERS UNION BANNED BY THE BABANGIDA GOVERNMENT

On July 23, 1992 the Babangida government banned ASUU, the Academic Staff Union of University in Nigeria. This move came in response to the decision of the Nigerian university faculty to go on strike after other efforts to secure higher wages and reverse the gross under-funding of the university system had failed.

Academic wages have not risen in Nigeria since 1986, despite a 95 percent devaluation of the naira, which has pauperized the academic staff and forced many teachers to abandon their teaching careers or to search for employment abroad.

In mid-March of this year, the naira underwent a further 50 percent devaluation. This boosted the faculty's will to try once more to secure a wage increase and win more funding for the university system. The government has consistently and harshly rejected such moves, in likely compliance with World Bank directives which require that Nigeria curtail the size of its academic institutions. Under these conditions, those who have decided to continue to teach have done so at an enormous personal cost. But far from appreciating this service, the Babangida government seems bent on punishing its university staff members even when they try to legally protect their rights as workers and academics.

When on July 22, 1992, ASUU legitimately declared a strike, the government not only banned ASUU but demanded that teachers immediately vacate their homes and leave the campuses while a university-teacher initiative to immediately form another union was also frustrated. The Academic Staff Union of Polytechnics (ASUP) was also banned and again teachers were ordered to leave their homes. Needless to say, this is a cruel, blackmailing procedure that shows no respect and consideration for the families and children of the staff. Following the banning order, the government promulgated a decree that made it illegal to be involved in any way with ASUU on pain of a fine and/or imprisonment for two years — which is frequently the equivalent of a death sentence given the dismal situation in Nigeria's prisons.

ASUU successfully challenged in court, on July 28, 1992, the government's ban and the order to vacate the university premises. The Babangida government, however, in a mode that has now become for it second nature, refused to recognize the court ruling, arguing that the court has no jurisdiction in this matter. It has, nevertheless, begun negotiating with members of ASUU, after the teachers in Nigeria's colleges of education and polytechnics also began to support the strike. ASUU representatives have however declared that they will not negotiate until the government officially unbans their union.

As of early September 1992 the negotiations continue. It is too early to know what their outcome will be. But our Nigerian colleagues must hear our voices. We ask all academics concerned with academic freedom to demonstrate their support for ASUU by writing letters or sending telegrams protesting its banning to the Babangida government and to demand from *our* academic organizations that they too express their protest to the Nigerian Government.

## A CALL FOR PROTEST

### Letters of protest to:

General Ibrahim Babangida  
President and  
Commander-in-Chief of the Armed Forces  
Federal Republic of Nigeria  
Abuja  
NIGERIA

### Letters of support to:

Prof. Attahiru Jega  
President of ASUU  
c/o Department of Political Science  
Bayero University  
Kano 30011  
NIGERIA

## Violations of Academic Freedom in Nigeria

The Nigerian university system is the largest in Africa, including over twenty institutions of higher education and more than a hundred thousand students. It has been the center of an enormous production and diffusion of knowledge since its inception during the colonial period. Many Nigerian intellectuals, scholars and scientists who were trained in the university system or taught there are world-renowned while the political culture of the students and faculty has been lively and combative ever since the period of the anti-colonial movement.

The relation of university students and faculty with the state has not been an easy one, as the numerous strikes and demonstrations on Nigerian campuses have attested. But up until the mid-1980s there was an evident commitment by state authorities to the primacy of education, especially higher education, in the fulfillment of their part of the post-colonial social contract. However, with the advent of the Babangida regime in 1985 and its decision to implement an IMF-inspired Structural Adjustment Program (SAP) in 1986 this commitment ended. Much of the struggle for academic freedom in Nigeria since 1986 has been impelled by the government's slow financial strangulation of the faculty's and students' living and working conditions and its attempt to drastically reduce access to higher education.

All told, the Nigerian government's campaign to implement austerity measures in the Nigerian University system since 1986 has ended in the death of more than a hundred students and the imprisonment of more than a thousand under very harsh conditions, the arrest of more than a dozen university teachers, the banning and re-banning of the National Association of Nigerian Students (NANS) and the Academic Staff Union of Universities (ASUU), the passage of draconian decrees that violate the "freedom to teach" and the infiltration of undercover agents into the classrooms and dormitories. Six years into this campaign, the results are evident: (1) the demoralization of the faculty leading to massive immigration and mid-career abandonment of teaching and research; (2) the dramatic deterioration of students' living conditions has made their life a struggle for survival. But the capacity to struggle against the government's "academic exterminism" policy has by no means been crushed as the following chronology of some recent moments in this struggle shows.

CAFA emphasizes the history of the Nigerian state and the universities in this issue because the next few months will be very important in the history of academic freedom in Nigeria. For the Babangida regime is anxious to eliminate as many of its academic critics as possible in the transition to electoral rule in 1993. This can only mean more repression on Nigeria's campuses in the coming months; but if academic freedom in all its senses is preserved in the immediate future, then new possibilities can emerge in the post-military era.

### CHRONOLOGY

**May 1986** Students at the Ahmadu Bello University (ABU) in Zaria are massacred by security forces after staging peaceful protests over university and government policies. More students are killed in the ensuing days at Kaduna Polytechnic, the University of Benin and the University of Lagos after protests against the massacre at ABU. Twenty institutions of higher education are closed by government order. Decree 16—which sets up an organization of university inspectors whose task is to assess university course contents—is promulgated.

**July 1986** The government removes ASUU from the Nigerian Labor Congress.

**March 1988** A prominent oppositional intellectual and teacher at ABU, Dr. Patrick Wilmot, is abducted by government agents and is forcibly deported even though he was married to a Nigerian citizen and had been teaching in Nigeria since 1970s.

**June 1988** ASUU calls a strike to demand wage increases similar to ones granted to government workers in the face of the collapse of living standards due to the implementation of SAP. The government bans ASUU and arrests Festus Iyayi, the President of ASUU, and three other ASUU leaders.

**May 1989** University teachers were forbidden to take positions in the political parties that were then being formed in preparation for the end of military rule. Yusuf Bala Usman, a teacher at ABU, was fired almost immediately afterwards for violating the ban.

**May-June 1989** Hundreds of students were arrested in nation-wide demonstrations and riots against the government's economic policies. In these confrontations between twenty to one hundred students were killed by security forces. Many leaders of NANS were illegally detained. Six universities were closed and were scheduled to be reopened on October 30, 1989, with the proviso that all returning students would sign a promise of good behavior and agree to the payment of all costs of

future damage to the university.

**Dec. 1989** Student Union Activities Decree 47 was promulgated. This decree ruled that any student found guilty of taking part in a demonstration or organizing a protest would be jailed for five years or fined 50,000 naira (about \$1500) or both. A special tribunal was empowered to try students accused of Decree 47 offenses. University authorities are given the power to dissolve any student organization that they deemed not in the "interests of society."

**March 1990** Nation-wide student-faculty protests against the government's decision to accept a \$150 m. university restructuring loan from the World Bank. Specific conditions of the loan like the closing of many departments and programs were rejected by the protesters. More generally, the loan was seen as a way for US and European interests to "highjack" the Nigerian university system.

**April 2, 1990** In response to the protests, the government closes ABU, Ibadan Polytechnic and Obafemi Awolowo University (OAU) in Ile-Ife.

**April 21, 1990** An academic conference on the World Bank loan is held at OAU.

**April 22, 1990** An aborted military coup is launched and, after initial successes, it is crushed by the Babangida forces. In the aftermath of the coup, many outspoken academics were arrested or were hunted. Though most of the arrested are released rather quickly, Dr. Idowu Awopetu and Prof. Toye Olorode of the University of Ibadan were kept in custody for months. Dr. Julius Ibonvbere, leader of ASUU at the University of Port Harcourt, was threatened with death by police officials and his wife and one of his children were arrested. He and his family later escaped from the country. Many students were arrested or expelled from their universities.

**April 27, 1990** General Babangida unbanned ASUU.

**May 27, 1991** Intra-student clashes lead to the death of a pro-government student at OAU. The NANS leader at OAU and three others were arrested and charged with murder. After an international protest, the four students were released on January 3, 1992 due to "lack of evidence."

**May 28, 1991** Two students were killed by security forces at the Yaba College of Technology in Lagos during a demonstration. Hundreds of students are arrested throughout the country after demonstrations protesting the killings. Many of the students are tortured.

**May 29, 1991** Four journalists of the *Guardian Express* were arrested and detained by police over the publication of a story on the student crisis.

**December 1991** Lagos State University was closed

for three weeks and the student union banned after protests against the university administration's refusal to accept the elected student union president.

**March 11, 1992** The Abraka campus of the former Bendel State University was closed indefinitely and the student union executive dissolved after a student protest during a visit of the Governor of Delta State.

**April 27, 1992** ASUU begins negotiations with the government on their demand for increased wages, an increase in university budgets and a return of university autonomy.

**May 9, 1992** Students at the University of Ibadan begin protests against the economic austerity measures leading to the deterioration of campus facilities and education programs.

**May 13, 1992** Students at the University of Lagos and at Lagos State University begin protests against the shortage of gasoline which had doubled the price of public transit. The police respond by shooting at least five students.

**June 1992** University of Lagos authorities ban the student union and expel 47 students in response to the May fuel protests.

**June 16, 1992** A National War College is opened by the Babangida government to train military officers

**July 22, 1992** ASUU calls a strike to demand an increase in wages and improvements in working conditions at the nation's universities.

**July 23, 1992** The government bans ASUU and the Academic Staff Unions of Polytechnics (ASUP) and demands that the striking teachers leave their campus housing. The teachers refuse to leave their quarters. A decree giving legal backing to the ban made it illegal for anyone to carry on trade union activities in the name of ASUU. Anyone found guilty of violating the decree could be fined 10,000 naira (approximately \$500) or sent to prison for two years or both.

**July 28, 1992** ASUU took its case to the Lagos High Court which ruled in its favor. It barred the government from carrying out its threat to evict lecturers from the official quarters in universities around the country.

**August 7, 1992** ASUU issues a statement saying it will only resume negotiations if the government unbanned it.

**August 18, 1992** The teachers of the Nigerian Colleges of Education joined the ASUU strike.

**August 20, 1992** The Babangida regime agrees to begin formal negotiations with members of the proscribed ASUU.

**August 27, 1992** ASUP is "resuscitated" and it calls for an indefinite sympathy strike at Nigeria's polytechnics in support of ASUU's demands.

## Tanzania

The 1990s have opened with a wave of student and faculty protest and governmental repression in the campuses of Tanzania's universities. The protest has had two targets: (a) corruption and authoritarianism at the university and government level; (b) the financial policies the government has pursued in the management of academic institutions, following the World Bank dictate that it curtail its funding for higher education.

These issues came together on April 7, 1990. On that day the students at the University of Dar es Salaam (UDSM) began an "extended baraza" (or general assembly) on the dramatic deterioration of campus life caused by the cuts in the University budget (which fell by 35 percent in real terms between the 1978/79 and 1989/90), and on institutional corruption, which they accused of diverting what little money remained into private hands. The students asked for an increase in the university budget, in the salaries of the faculty, and in their allow-

ances. A month of peaceful protests and university-wide assemblies followed. The government cut this debate short by closing UDSM on May 12, 1990. It was reopened on Jan. 1, 1991, but only after thirteen students were rusticated and eight were given severe reprimands, without a hearing, as demanded according to disciplinary procedures.

Then, in the spring of 1991, the Vice Chancellor of UDSM, Prof. G.R.V. Mmari, a man who is highly respected by the university community for his equanimity and commitment, was summarily removed from his post, a measure that has been interpreted as a retaliation for his "open door" and "democratic" handling of the crisis. Both the University of Dar es Salaam Staff Assembly (UDASA) and the Dar es Salaam University Students Organization (DARUSO) protested this removal. Yet in July the government stepped up its confrontational policy by transferring Prof. Mmari and three other faculty without their prior consent to other institutions outside of UDSM. Again this act was seen as a reprisal for the conciliatory attitude adopted by these members of the faculty and the V.C. toward the students.

March 3, 1992

Dear colleague,

**Re: Disruption of higher education in Tanzania**

Higher education in Tanzania has been seriously disrupted by the government's high-handed attempt to implement the World Bank's and IMF's cost-sharing schemes at most of the institutions of higher learning. Hundreds of students have been suspended, and the government is threatening to suspend more as a way of overcoming opposition to its new policies.

Tanzania's struggle for independence was based, among other things, on the universal demand for access to education at all levels which had been denied to the majority during the colonial period. Despite all the problems that Tanzania has faced since 1961, Tanzanians could rightly be proud of their success in providing free education to all who were qualified.

We strongly feel that education is a basic right, and Tanzanians should not be discriminated on the basis of their financial capabilities in attaining education. Over the past two decades the proportion of state budget allocated to education has been declining from nearly 20 percent at the time of independence to as little as 5 percent. The Dar es Salaam Declaration on Academic Freedom, which was adopted in 1990/91 by academic staff association of all the major institutions of higher learning in Tanzania, had therefore called for a statutory minimum proportion of the state budget to be allocated to education.

However, under pressure from the IMF and the World Bank, the government has in fact been going the other way, trying to implement the so-called cost-sharing scheme under which it wants to shift the cost of education onto the shoulders of the people. It has now ordered the students and

(Continued on p.12)

their parents to pay part of the cost, and it is clear that more of the cost will be shifted progressively.

But the vast majority of the people have been getting more and more impoverished over the past two decades while the cost of education has been rising astronomically. The implications of the IMF-inspired policies are clear: education will increasingly become the preserve of the rich, with a sprinkling of the very bright poor students to camouflage the fundamental shift in the social composition of the students.

Both student and staff organization at all the major institutions of higher learning have been declaring their opposition to this deplorable trend, and have called on the government to suspend or reverse its policies. Last month students at the University of Dar es Salaam and other institutions finally went on strike. The government has responded by dismissing student leaders at many of the students, and has suspended at least 281 students at the University of Dar es Salaam. It has vowed to 'purge' more 'troublemakers' without closing the institutions.

This action poses a grave crisis for higher education in Tanzania: it directly affects the basic right to education and academic freedom. I enclose a report by a visitor to the University of Dar es Salaam which gives a first-hand account of the conditions on the campus. It has also been reported that the campus has been infiltrated by security officials which will make the learning atmosphere very unhealthy. The situation is alarming, and as a member of the academic staff of the University of Dar es Salaam, I would like to call on you to do whatever you can to publicize the situation and take any action that may help reverse the dangerous trend in Tanzania.

A. Sheriff  
Professor, History  
University of Dar es Salaam

## *The Current Crisis at the University of Dar es Salaam (15 February 1992)*

The current crisis at the University of Dar es Salaam (UDSM) differs in a number of important ways from that of 1990 but also involves two important continuities: the impact of the crisis an adjustment on the University and the authoritarianism and inflexibility of the state in dealing with opposition, despite promised moves toward multi-party democracy. These two continuities are indeed the major underlying factors in the present crisis. Unfortunately, while the 1990 crisis on the who seemed to strengthen democratic forces in Tanzania at the expense of authoritarian ones, the same cannot be said for the crisis of 1992.

The ostensible issues behind the current crisis has been that of cost sharing in higher education. The

issue played a minor role in skirmishes on campus during early 1991, along with the removal of two teachers and attempted removal of a third. At the time when the third teacher was reinstated (August 1991), proposals to introduce cost sharing slated for inclusion in the 1991-2 education budget were dropped. But in October 1991 the cost-sharing proposal was revived and UDSM departmental meetings were invited to comment on it. A UDSM student organisation (DARUSO) meeting was called to discuss the proposals, which were at this time rather vague, along with the issue of financial compensation for loss of student allowances while the University was closed in 1990-91. This meeting would have coincided with the annual graduation ceremony and was banned. At the

graduation ceremony the Engineering Faculty area was ringed by Tanzania's elite (and fully armed) riot police, the Field Force Unit (FFU).

At the beginning of January 1992 and Minister of Science, Technology and Higher Education, William Shija, issued a statement saying that cost sharing in higher education would be introduced with effect from the start of the next academic year (August 1992). He invited representatives of student organizations from Tanzania's eight higher education institutions to meet him. Some student organisations (including DARUSO) took the position that they needed more information on the proposals and that the parents of affected students should also be consulted. They therefore did not attend. Representatives of the student body of Sokoine Agricultural University attended by were then voted out of office by their own membership for doing so.

At this point the issue of cost sharing became interwoven with that of the maintenance of state authority generally. This occurred through the involvement of DARUSO in an industrial dispute involving doctors, pharmacists and others at the Muhimbili Medial Centre (part of UDSM). 1991 had seen a number of disputes between Muhimbili staff and the Ministry of Health over the general state of medical facilities, administrative corruption and levels of remuneration. Eventually considerable increases in remuneration were conceded but in January 1992 the conflict revived since the new allowances were not being paid. Four leaders of the junior doctors were transferred to remote stations for leading the protests. At the end of January the doctors, pharmacists and others called a Baraza (meeting) to discuss their grievances and call for reinstatement of their colleagues. The Director of the Muhimbili, Dr. Mmbaga, refused to meet the doctors until the Baraza was abandoned. He went on to give them until January 29th 1992 to resume normal working or be dismissed. The doctors then obtained a court injunction granting a stay of execution until February 6th.

At 2:45 p.m. on 20th January the FFU arrived at Muhimbili. The junior doctors were forcibly removed from the premises and some were taken to Ukonga prison. It was announced that 76 doctors and pharmacists had been dismissed. At this point non-medical staff at Muhimbili went on strike. The Baraza continued and the next day was joined by students from the main campus. An impromptu march, joined by a large crowd, took place from the Baraza to State House. A senior Muhimbili professor and a student leader then

met with senior representatives of the President's and Prime Minister's offices. Later in the evening the doctors were reinstated with an apology and a commission of enquiry was set up to look into their grievances.

The following day (February 1st), apparently buoyed by the victory of the doctors, representatives of the student organisations of the higher education institutions met at UDSM to discuss cost sharing. They resolved to send a letter to the Chancellor of the University (President Mwinyi) asking him to suspend cost-sharing until its ramifications could be properly determined. They also called for Shija's resignation. The students gave President Mwinyi three days to reply.

On Monday 3rd February all public transport to and from the University main campus was suspended, presumably to keep the students on campus. On Wednesday 5th February, at the CCM 15th Anniversary celebrations in Songea, President Mwinyi launched a strong defence of cost sharing and made an angry attack on the students. He also spelt some of the proposals out in more detail. The most important were to terminate the grant for students' travel home in vacations and the monthly personal allowances of TSh 600-800 per month (depending on marital status). (This was falsely reported in the Daily News to be the annual value students would lose). Mwinyi stated that special arrangements would be made for students unable to attend in these circumstances. He then rounded on the student leaders, describing them as undisciplined and disobedient and promising that they would be dealt with severely. He also accused them of being agents of the main opposition group, NCCR. The students replied to Mwinyi with a second letter sent on February 6th. This contained a point-by-point reply to his statement and also questioned why budgetary savings should not be targeted on the University rather than, for example, the TSh 60 m. said to have been spent on the Songea celebrations.

On Friday 7th February the University staff association, UDASA, met and called for the reinstatement of transport to the campus. They also sent a letter to the Chancellor appealing for the postponement of the implementation of cost-sharing pending further research.

For most of the previous week plain-clothes police were evident on campus. At around 7:00 p.m. on Saturday 8th February a power cut occurred on campus. Shortly afterwards a group of students challenged two strangers near the cafeteria. A crowd

gathered and the men produced pistols, firing two shots in the air. The students dispersed and two went to the house of the Chief Academic Officer (Mrs. Mlama). The latter was apparently being evacuated from the campus at the time (as, a short time later, was the Vice Chancellor, Professor N. Luhanga). Mrs. Mlama agreed to accompany the students to the UDSM Police station to report the incident and seek an explanation. When the student leaders and Mrs. Mlama arrived there they found the two strangers already in the station. These were then identified as police officers. The Officer Commanding (OC) the station apologised for the incident verbally but the students leaders demanded he put this in writing, which he declined to do. The students then demanded that Mrs. Mlama write a statement describing what had happened. At this time they were joined by the Dean of Students, Mr. Maghimbe, who with students had recovered a shellcase from the cafeteria area. Mrs. Mlama wrote a statement and the student asked that she apply her formal stamp to it. While this was being sought the student leaders decided to go with the OC to seek an explanation from the Regional Police Commander at Oyster Bay who apparently could not be raised by phone. On their way out of the station they were met by a crowd of around 100 students who had meanwhile gathered. The crowd urged the student leaders not to go to Oyster Bay as they might be detained there.

At this point (around 9:30 p.m.) a large body of FFU materialised and set upon the students outside the police station. Many men were beaten; women students were subject to sexist verbal abuse. Three students were injured, including one who received a ruptured spleen. A member of staff returning to his home from the Engineering Faculty was made to run a gauntlet of FFU men, forced to make 'frog hops' and beaten over a distance of around 100 metres. I saw this man two days later when he displayed a gash in his arm with several stitches and a large bruise on his side, where some internal bleeding appeared to have occurred. His spectacles were also smashed in the incident. The FFU detained 46 students who were taken to the police station and made to write statements. The leaders who were in the station throughout were also arrested. Power was restored to the campus at around 12.30 am. All the arrested students were released the next morning.

The incident was severely distorted in the Tanzanian government-controlled media, who failed to report how the incident started, instead stating the

Mrs. Mlama, Mr. Maghimbe and the OC at the UDSM Police station had been abducted and threatened with being taken to the student halls of residence and killed, before they were rescued by the FFU. The Vice Chancellor subsequently issued a statement which denied that there had been abductions but which defended the actions of the FFU.

On Sunday 9th February public transport was eventually restored. On Monday 10th February an emergency meeting of the University Council was convened at Silversands Hotel, at the request of the Chancellor. The Council received a directive from the latter under Section 59 of the University Act, which reads 'The Chancellor may give the Council directions of a specific or general nature and the Council shall give effect to every such directive.' The directive ordered the deregistration of 10 students, said to be leaders. Some of those expelled were no longer active in DARUSO but were members of NCCR. Later in the week, further expulsions were ordered from the other seven institutions of higher education. The grounds for the expulsions were announced in the press as for 'having incited their colleagues to unrest.'

When news of the expulsions became known that afternoon, DARUSO held a Baraza on campus and called a boycott of classes pending the reinstatement of the 10 leaders. Students at Muhimbili and Ardhi did likewise. The situation at the other 5 institutions was subject to contradictory reports. The administration at Ardhi met the same day and gave all students until 8 am the following day to return to classes or be expelled.

At 4 am on Tuesday 11th February the FFU entered the student halls of residence and searched for the expelled students until about 7:00 a.m. The same afternoon a meeting of UDASA, attended by around 200 staff, called for the suspension of teaching until the FFU were removed from the campus (it later emerged that they had already left at this time). It also called for a meeting with the Vice Chancellor to explain the breaches which had occurred to the Dar es Salaam and Kampala Declarations on Academic Freedom, to which the University was a party.

On Wednesday 12th February it became evident that some final year students were trying to attend classes, but that this was being resisted by their colleagues. A University Senate meeting was held in the morning which urged all students to return to class or face expulsion and which promised protection to all students who resumed attendance. It also requested the students apologise to the President for the letters

they had sent him. An identical statement was made to the press by Mr. Shija. This meeting was immediated followed by a very large UDASA meeting, attended by over 300 teachers (a majority of those on campus). The Vice Chancellor addressed the meeting, justifying the action taken against the student leaders in terms of alleged threats and insults to members of government and the University administration on wall posters and from the students inside and outside the police station on the night of February 8th, as well as the allegedly insulting tone of the letters sent to the President. He then ordered an employee to read the letters (until then not made public) to confirm this. The letters in fact seemed well argued and while not particularly respectful, were not insulting.

Around eight teachers made verbal contribution from the floor following the Vice Chancellor's remarks. Amongst these were a number of senior professors from Muhimbili. The teachers all criticised the government's intolerance of criticism and the hamfisted way in which cost-sharing had been introduced. Most told the Vice Chancellor he should reinstate the students and request the government to postpone cost-sharing pending the introduction of a scheme for students whose parents could not support them. The Vice Chancellor did not respond. The Chairman of UDASA unexpectedly did not propose or accept any resolutions and the meeting closed without any further decisions taken.

On Thursday morning 13th February a rumour apparently spread amongst students that UDASA had prolonged its strike until the students were reinstated and cost-sharing postponed. The chairman of UDASA then issued a statement denying that this was the case and stating that from the security viewpoint the campus was now back to normal. By implication, the lecturers' action was therefore over. The same afternoon final year students held their own Baraza and decided to return to classes. At 4:30 p.m. the Vice Chancellor issued an ultimatum that all students must register with their departments and in their classes the next day or would be considered expelled. A DARUSO meeting held that evening agreed that students should register with their departments but not attend classes. Later the same evening President Mwinyi met with the leadership of the CCM Youth League. He was reportedly still extremely angry and unprepared to compromise. On the morning of Friday 14th February the Daily News reported that spontaneous anti-student demonstrations had occurred in Moshi and that further demonstrations were planned for Mwanza and

Dar es Salaam. Later the same day it was announced that the Dar demonstration had been postponed indefinitely.

At around 9:00 a.m. on Friday 14th February I was walking from the University library to the Arts Block when I noticed large groups of students milling around the classroom blocks between these buildings. Some students were apparently trying to attend classes and some were trying to prevent them. Verbal and physical violence was occurring and sticks and rocks were being thrown. I was told that lectures had been disrupted and that a teacher had gone to the Vice Chancellor to ask for protection. A journalist from the state news agency Shihata was apparently beaten by the students. By 10:00 a.m. classes had been abandoned. At around noon the FFU were back on campus and occupied strategic positions. At the end of the afternoon finalists were again attending classes. The boycott appeared to be still general at Ardhi and Muhimbili but the situation at the other institutions remained unclear.

It was reported in the Daily News on Saturday 15th February that the 10 students were seeking an injunction to prevent their expulsion. Certainly the latter was against all the principles of natural justice, since they had been denied knowledge of the exact charges against them, the right to a hearing of such charges, the right to defend themselves against them and the right to appeal against them.

### WAYS TO HELP CAFA

- Become a member or a sponsor (membership is \$25 a year);
- Establish a chapter of CAFA at your institution;
- Contribute to our newsletter;
- Gather, circulate, publish relevant information in academic and non-academic journals, newsletters, student papers;
- Organize workshops;
- Help make CAFA visible at academic conferences.

## Useful Addresses

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

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

University of Dar es Salaam  
Academic Staff Assembly  
P.O. Box 33050  
Dar es Salaam  
TANZANIA

Africa Watch  
485 Fifth Avenue  
New York, New York 10017  
UNITED STATES  
Tel. (212) 972-8400

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*(Continued from p. 1)*

Knowledge of the situation on African campuses is becoming more widespread, thanks to the work of many individuals and some outstanding human rights organizations, first among them Africa Watch. Unfortunately, there has not been corresponding action on behalf of African teachers and students in North American universities. Ironically, at the very moment when the issue of "Afrocentricity" has become one of the key items of debate both in academia and in the popular press, there is practically no discussion of how North American academics and their organizations can defend and support their African colleagues. Yet what is at stake in the present violations of academic freedom in Africa and the decimation of African academic budgets is the very possibility of Africa to be a center for the production of knowledge. This possibility is being directly jeopardized by the policies of U.S.-dominated institutions such as the IMF and the World Bank.

We invite all academics in North America to join us in raising our voices individually and collectively in defense of academic freedom in Africa. Please help us spread the information contained in this Newsletter, and send us any suggestions you have on how we can best give our support to teachers and students in Africa. Let us ensure that formal education, even at the university level, does not return to be as it was in the days of colonialism, a luxury for the few; but instead it does become a common patrimony of the new generations of Africans.

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Annual membership to CAFA and Subscription to CAFA Newsletter is \$25.

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or

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