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THE STRUGGLE FOR FACULTY UNIONISM IN A STALLED DEMOCRACY: LESSONS FROM KENYA'S PUBLIC UNIVERSITIES

By Irungu Munene*

INTRODUCTION

On November 29, 1993 academics from Kenya's four public universities went on a strike aimed at pressurizing the state to register the newly launched Universities Academic Staff Union (UASU). The formation of the union and the subsequent strike was a culmination of financial, academic and governance crisis that had engulfed Kenyan universities in the 1970s and 1980s decades. Kenyan intelligentsia were grappling for a forum through which they could participate in resolving some aspects of the crisis and to safeguard interest of their stratum. UASU was also a child of the second phase of the democratization process in Kenya. The multi-party election had failed to bring about meaningful transformation of the polity. Thus, the second wave of democratization concentrated

*Lecturer in comparative education, Department of Education Foundations, University of Nairobi in Kenya. He received his B.Ed and M.Ed degrees from Kenyatta University in 1989 and 1993 respectively. He has been admitted for doctoral studies at the State University of New York at Albany. Irungu has been actively writing on Kenyan education especially on Universities; education and the political system; access and equity in education; and gender issues in education. He has published in *Basic Education Forum*, *Msingi: journal of Education Foundations*, *African Affairs* and *Journal of Third World Studies*, contributed two chapters in two forthcoming books and has also written a consultancy paper on basic education in Kenya for the International Commission of Jurists (Kenya chapter).

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on strengthening institutions, professional organizations and social movements as pillars of democracy. The year long impasse over the registration of UASU has devastatingly affected Kenyan universities. Academic standards have plummeted, academic programs badly disrupted, and staff morale has gone very low.

This paper traces the historical background to the rise of faculty unionism in Kenya; the government crackdown on it during the one party vintage; and its resurgence during the multi-party era in the context of the general university crisis. It is argued here that the clamour for faculty unionism is a logical outgrowth of this crisis. In its wider context it symbolizes the general crisis of transition to democracy in Kenya.

UNIONISM AMONG ACADEMICS DURING THE ONE-PARTY ERA

The rise of faculty unionism in Kenyan universities in the 1970s had both economic and political causes. The economic crisis that seized the capitalist world from 1971 reverberated through and caused major ripples in the entire Kenyan economy¹. On the heel of this came the oil crisis. This signaled the end of the golden period in the financing of university education by the state. But the economic shock was minimized by the fact that by then Kenya had only one university namely , the University of Nairobi and its constituent college, Kenyatta University College. The number of students was still low and manageable by an equally small academic staff. The Kenyan economy which by then was a model of the sowering young capitalist economies could provide a modicum of resources to finance research, publications and academic staff welfare.

Thus when the University Staff Union (USU) was formed in 1972 it was more pre-occupied with political issues arising from the growing monolithism at the political arena than what may be called pure industrial issues. In 1969 the government had banned the left-leaning Kenya Peoples Union

of the former radical vice-president Jaramogi Oginga Odinga and declared Kenya a *de facto* One-Party state. In the next decade the foundation for state repression was laid. The academic community was not spared by the growing autocracy.

USU's stated objective was "to regulate and improve relations between its members, the university council and students."² It also sought to assist its members in negotiating for better salaries and improved conditions of service. But the choice of a trade union as a forum for articulating these objectives appears to have been dictated by the political and practical expediency that can be availed by such a mode of organization. Trade unions have a widely acknowledged capacity to translate simple demands for bread-and-butter issues into a challenge to the ethos of authoritarian labour process and national political relations³. By registering under the Trade Unions Act, such an organisation in Kenya enjoys a relative autonomy from the university administration. In its struggle for its industrial aims, it can take advantage of the laid down machinery of collective bargaining; can register grievances with the Industrial Court; or better still call a strike of its members to compel the administration to meet its part of the bargaining or adhere to proper methods of administration.

Because of a sour relationship that prevailed between USU and the government and University administration, no machinery of collective bargaining was put in place nor a single industrial dispute registered with the industrial court for arbitration. Indeed, USU never became a trade union in the generic sense of the term, but a quasi-trade union and professional body. Like the Kenya National Union of Teachers (KNUT) it did not affiliate itself to the Central Organization of Trade Unions (COTU).

The confrontation between USU and the government came to the head from 1979, coincidentally when the second Republic was ushered in. The era of freedom that prevailed during this transition period provided an opportunity for academicians to assert their freedom from state interference and to play a more active role in the decision making at both the

university and the wider political arena. Thus the conflict centered on a determination on the part of the government to not only gain control of the university affairs but to emasculate what was viewed in government circles as "Marxist-inspired" radicalism among some university lecturers, versus USU's determination to resist the growing tide of state repression from engulfing the university.

USU challenged the efficacy of the government's ban on student organizations and blamed student unrest on "gross mismanagement by the university administration."⁴ Secondly it took on the government on the issue of Prof. Ngugi wa Thiong'o who had been detained by the Kenyatta regime in 1977 for organizing an open air theatre among the peasants of Kamirithu village in Limuru, about 25 kilometers from Nairobi.⁵ Ngugi, who was released from detention by the Moi regime when it took power in 1978, remained a pariah to the administration and was never reinstated to his teaching job in the Department of Literature at the University of Nairobi. "The question of Prof. Ngugi", The university vice-chancellor had told USU officials, "rests with authorities other than the university authorities."⁶ This reveals that the government was directly involved in the USU crisis.

The union on its part fought its battles at the political level. In February 1980, it covertly backed a student's riot and issued a statement blaming the administration for the eruption of the disturbance. It further organized a demonstration involving lecturers and students against the apartheid regime in South Africa and against the murder of the populist Guyanese academic and politician Walter Rodney⁷. When its grievances were not heeded by the administration, USU issued an ultimatum in July 1980 and gave the university council a week to resolve the issues of salary increase, reinstatement of Professor Ngugi wa Thiong'o and academic freedom. The government stepped in before the expiry of the ultimatum and banned USU together with the powerful Civil Servants Union. President Moi, when issuing a ban on the unions in a public function, said that the government was "taking care of its

employees well and therefore did not need unions.”⁸

The demise of USU opened the floodgates for state interference in universities and suppression of academic freedom. USU's secretary-general, Willy Mutunga and other academics thought by the government to be radicals, were detained. Academic freedom reached its lowest ebb in the decade of 1980s when university administrations were not only microcosms of the repressive monolithic order at the political level but also an extension of the state control over the universities.

UNIVERSITY GROWTH UNDER THE SHADOW OF REPRESSION AND MISMANAGEMENT

Since the proscription of the Academic Staff Union, the landscape in Kenya's public university sector has witnessed a radical transformation. This metamorphosis has been characterized by increased state interference in university affairs, a burgeoning student population and decreased state funding of the universities. All these have gone a long way to making university autonomy and academic freedom mere abstractions or, at best, irrelevant foreign ideologies. In the ensuing sections, we shall examine how these three factors have contributed to making the academic climate in Kenya's public universities hostile to scholarship.

(a) University Expansion and the Decline in Educational Quality.

In the decade of 1980s, three additional full-fledged universities were established to supplement the then existing University of Nairobi. In addition to Moi (1984) Kenyatta (1985) and Egerton (1987) universities, constituent university colleges of Maseno (1990) and Jomo Kenyatta University College of Agriculture and Technology (1980) were also established as part of Moi and Kenyatta Universities respectively. This year, Jomo Kenyatta University College of Agriculture

and Technology became the fifth national university.

This rapid expansion of the state university sector has been accompanied by the democratization of access to university education by a wider section of the populace. At independence, Kenya had a paltry 302 students at the university. The overall student enrollment for the 1991/92 academic year was 41,674.⁹ As shown in Table 1, there was a significant increase in university enrollment during the 1987/88 academic year due to the 'double intake' both at Kenyatta and Nairobi when admissions to the universities was doubled on presidential orders to make up for the lost academic year (1989/90) when universities were closed due to the active participation of students in the failed military coup of 1982. Enrollment increased by about 73% over the previous year. The enrollments increased by a further 4,057 to 21,595 students in the 1988/89 academic year, representing an increase of about 113% over the 1986/87 figures.

TABLE 1

**KENYA'S PUBLIC UNIVERSITIES ENROLMENT BETWEEN
1984/85 - 1988/89 ACADEMIC YEARS**

Academic Year	University of Nairobi	Kenyatta University	Moi University	Egerton University	Total All Universities
84/85	6,636	2,372	83	—	9,091
85/86	6,427	2,606	112	—	9,145
86/87	6,655	3,017	230	241	10,143
87/88	10,675	5,135	970	758	17,538
88/89	10,889	6,672	3,184	850*	21,595

*Estimate

Source: Republic of Kenya *Economic Survey 1988* Nairobi, Government Printer P. 170 and Kenyatta University Nominal Rolls.

Though this massive expansion has had its spill-over benefits such as political stability, diminishing foreign exchange losses to support overseas education, equity improvements in higher education access and economies of scale,¹⁰ it is doubtful, given the large budgetary deficits and manpower surpluses, whether this was not due to "President Daniel arap Moi's populist gimmick designed to endear him to education-thirsty students and their parents."¹¹ Indeed evidence does seem to suggest that the increase in university intake has been political and populist as opposed to the ability of the system to cope with additional numbers. In 1988 for example, 13,832 "A" level leavers met the minimum university entry requirements. The Joint Admission Board had vacancies for just over 7,000. The president intervened and directed the vice-chancellors and the Ministry of Education to work out modalities of admitting all the qualified candidates¹². The logical outcome of this haphazard expansion of the universities has been the decline in educational quality as evidenced by the poor quality of teaching staff, overstretching of available teaching and learning resources and the decline in examination performance at the university.

Even prior to the double intake of 1987/88 academic year, academic staff shortage had been earmarked as a critical problem. By July 1987, the University of Nairobi had 154 vacancies out of 1,162 total positions. As of June 1987, over half of the positions at Moi University were unfilled.¹³ After the double intake, staff increase has been very modest indeed. At Nairobi and Kenyatta universities while student admission increased by well over 60%, the increase in staff was by less than 10%. Much of this modest increase mainly consisted of promoting and recruiting holders of masters degrees into lecturership positions. Under normal circumstances such individuals could not have been recruited to teach at universities because their "Bachelor degrees were of low quality or the master degree itself was mediocre"¹⁴.

Due to this shortage, the existing skeletal staff has also been over worked, sometimes teaching for four terms without a

break or monetary compensation. Not only has this strained staff morale and minimized the ability to conduct meaningful research, but it has also made it impossible to register and study for higher degrees for those without doctorates. Similarly there has been no tutorials since the 1987/88 academic year. In other instances lecturers have been forced to repeat the same lecture four times due to shortage of classroom and lecture theaters of adequate size to accommodate all students.

Despite the exhortations of the presidential working party that "the growth in university student enrollment be matched with commensurate provision of appropriate resources in order to maintain high standards",¹⁵ the reality has been one of "congestion in lecture theaters, laboratories and halls of residence, shortage of academic staff and limited facilities such as transport and equipment"¹⁶. Thus, it is not uncommon to find students standing or sitting outside the classroom and listening to their lecturers through the windows. The situation in the university libraries is no better. The Jomo Kenyatta Memorial Library of the University of Nairobi has a student capacity of only 3,000 yet the student enrollment is in the region of 13,500. The Kenyatta University library has a student capacity of 600 but the enrollment now stands at more than 9,000¹⁷. The number of books available has also been on the decline. At Kenyatta University, 29 books were available to every student before 1988. After that year 27 books were available to each student¹⁸.

Given the above scenario, it is not surprising that student performance in university examination has been declining. An analysis of first-year examination results at Kenyatta University for 1986/87 and 1987/88 painted a striking picture of the deterioration of quality. Overall the proportion of first-year students failing, repeating or taking supplementary examinations increased by 57%. Nearly one-third of those students entering Kenyatta University during the double intake of 1987 were in this category¹⁹. Last April a furor arose over the mass failure of the first lot of 8-4-4 (new education system encompassing 8 years of primary education, 4 years of sec-

ondary education and 4 years of higher education) graduates in their first-year electrical engineering examination at the University of Nairobi. While some critics saw this as evidence of the poor quality of the much maligned 8-4-4 education system, greater evidence points to the falling teaching standards at the university.

In this sub-section we have attempted to show the impact of the unprecedented expansion of the public university sector on the quality of university education offered. Over and above everyone else, the academic staff have borne the negative impact of this trend. Hardly have they been consulted in the decisions to admit more and more students. Neither have the teaching and learning resources and environment at their disposal improved contingent upon the renaissance in the growth of student enrollment. Yet, there has been a tendency by employers and the public at large to blame the faculty on account of the poor quality of graduates leaving these institutions. The need to play a more active role in determining critical aspects of university growth such as student enrollment, staff development and the provision of teaching and learning resources convinced the academic staff that a professional organization is important. This body, with the full backing of the intellectuals would better articulate their opinions on such important issues in university development. The rapid and rather unplanned expansion of the universities did indeed provide a fertile ground for the emergence of UASU in 1993.

(b) Financial Slump and the Decline in Staff Morale.

Even with the political rhetoric extolling the tremendous achievements Kenya has made in university education, there has been a growing realization that the country lacks the financial resources to maintain the unrealistically bloated higher education sector. This financial debacle has been occasioned by the tight government budgetary control on social sectors like health and education, rising inflation and the devaluation of the Kenyan shilling against the other currencies. Table 2 gives a picture of the government's financial commitments to

the universities in the 1988/89 to 1991/92 financial years. There is some evidence of decline in financial commitment especially with regard to recurrent expenditure in 1991/92 and development expenditure in 1989/90. Though there appears to have been increased funding, such increases have been modest given the rise in inflation and increased student population.

TABLE 2

**GOVERNMENT FUNDING OF STATE UNIVERSITIES IN
KENYA, 1988/89-1991/92**

Recurrent expenditure (K pounds Million)	1988/89 73.25	1989/90 86.54	1990/91 123.93	1991/92 123.38
Development expenditure (K pounds Million)	38.30	23.14	39.80	56.00

Source: Republic of Kenya *Economic Survey* 1992 Nairobi, Government Printer 1992 p. 168.

In general, the government's declining financial support to the university sector is the direct consequence of the World Bank supported Structural Adjustment Programmes (SAPs). Not only have SAPs entailed financial cuts towards education sectors but they have also made it mandatory that students bear a significant proportion of their education. At the macro-economic levels, SAPs have led to the devaluation of the Kenyan shilling vis-à-vis the other major world currencies thereby setting in motion the now ominous high cost of living. All these have had a considerable impact on the professional and general living conditions of the academic staff.

At the professional level, universities are no longer in a position to support research and travel to learned conferences.

This has forced many lecturers on staff development to suspend their research projects while others have been forced to solicit external funding. For those who seek to attend national and international conferences, donor support has been the only source of finance. The research and publication environment could be at least tolerable were the universities in possession of well-stocked upto date reference libraries. However, these important academic facilities have virtually given way, thanks to the financial strait-jacket Kenya's universities are in. The heart-rending state of affairs in the libraries was captured by the Kenyatta university librarian when he asserted that "In our university libraries, the current issues of most journals dates as far back as 1986 or earlier..... the declining value of the Kenyan shilling against the hard currencies like the dollar has reduced the volumes of books the universities could import"²⁰.

Staff welfare, perceived in terms of emoluments and associated fringe benefits, has undergone a similar fate. Though at the face value salaries of academic staff have increased, in reality they have actually fallen due to the devaluation of the Kenyan shilling and the increased level of inflation. In 1985, a professor, the highest teaching rank in the university, had a minimum basic monthly pay of US \$500 (Ksh. 11,500). In 1994 the rank commanded only US \$229 (Ksh. 16,000)²¹. This decline in the value of salaries has taken place amidst a rising inflation. It is estimated that inflation in Kenya skyrocketed from 3% in 1985 to 60% in 1994. Such a massive decline in the value of salaries has seriously affected the purchasing power of the monetary compensation that is accorded the scholars.

The staff housing and medical schemes have come to nothing. The staff housing scheme, ordered by President Moi, who is the chancellor of all the public universities, never actually took off. Universities simply had no money to embark on such a grandiose program where academic staff members were expected to purchase houses at concessionary rates courtesy of the Universities Investment in Housing Schemes. More serious

and of immediate concern is the fact that universities are no longer in a position to pay rents for houses they have leased for their academic staff in high-class exclusive locations. Consequently many academics have been caught off-guard when evictions threats have been served on them at very short notices by landlords angry at the universities' breach of lease contracts. The housing allowance paid to staff members who are not housed by the university has not been commensurate with the cost of living especially in Nairobi, the capital city. The monthly housing allowance for a lecturer for example is US\$ 170 (12,000). However, the monthly housing rent for a two bedroom house in middle class estates like BuruBuru, Greenfields or Donhoolm is around US\$ 200 (14,000). It is not therefore uncommon to find most lecturers living in lower class residential areas of Umoja, Huruma, Dandora, Githurai etc on the fringes of Nairobi slums. This has only served to lower the esteem of the lecturers and the social pretige associated with a university career.

With the failure of the university medical scheme, academics are required by hospitals to pay huge deposits before they or their families are treated. Previously universities catered for such payments but due to the high rate of default by university authorities, hospitals instituted stringent conditions for treatment of university employees. Like the public health system they suffer from a critical shortage of drugs and other essential items. Even the university health units are a mere shadow of their past. It has now become a practice for university employees to buy their own drugs and thereafter seek reimbursement from the university.

While such conditions have led to high levels of brain-drain from the universities, they have also led to the realisation by the academics that they have no representative forum to lobby for their economic interests. It is instructive to note that academics in Kenyan public universities have negotiated for their terms and conditions of service which appear to be drawn up somewhere and passed on to universities. This has given rise to the rather contentious situation where the terms

and conditions of service of universities are equivalent to those of the civil service. It was felt in 1993 that a trade union for academics to have a bargaining power to meet the employees and the state for the purpose of securing financial and material advantage for its members was needed.

(c) Politicisation of Universities and the Curtailment of Autonomy and Academic Freedom.

One of the most apparent features in Kenya's public universities after the banning of the earlier union has been the heightened level of political interference in university affairs. There is too much government in Kenyan society. This, unfortunately has also found its way into the state campuses. This abridgment of autonomy and academic freedom has been actualized by means of both the university administrations and academic censorship.

The appointment of university heads and councils has provided the government the most significant mechanism with which to exercise its hold over university affairs. The statutes of all the public universities stipulate that the Head of State is their chancellor and is vested with enormous powers of appointing the university councils and the vice-chancellors. Those appointed as vice-chancellors are not the most competent academically or administratively. Since independence, there has been a tacit tradition of appointing university chief executives or their deputies from the ruling ethnic groups²². In bodies like the university councils the government is usually over-represented in comparison to academic staff and students. The representation of the state has also been felt at the lowest levels in the department. Vice-chancellors usually appoint those they feel are sympathetic to the state and the ruling party as departmental heads. In some cases such appointees have occupied their offices beyond the stipulated time. A good example is the chairman of the Literature Department of the University of Nairobi: a very pro-government don, he has headed the department for the last 11 years. Due to such power arrangements, the state has been able to steer university

affairs in certain specific directions. Being only accountable to the ruling coalition, these politically-appointed university administrations have on many occasions executed government order to sack lecturers thought to be radical. In addition, they have closed universities at the request of incumbent governments and also have admitted additional students to the universities to please politicians and other members of the government despite the fact that existing resources could not support such additional students. Much more significant is the fact that these political appointees have participated in the annihilation of professionalism since "Phone calls from State House or the office of the President have led to the recruitment and promotion of some favoured academics"²³.

Through the university administrations, the government has also managed to dictate the type of degree programs it wishes to see offered. In some instances the government has overstressed the significance of relevance and science/technology-oriented courses thereby forcing the institutions to launch programs which are outside the mainstream of university development. This is how the M.Ed (Primary Teachers Educators) and M.Ed (Tutor for Diploma College) came into being at Kenyatta University. In the 1987/88 and 1988/89 academic sessions the Ministry of Education insisted on selecting candidates for the courses, a move the university rejected. This was a clear attempt at usurping an important element in university autonomy²⁴.

By way of a variety of manoeuvres, the state has seriously undermined academic freedom in Kenya's public universities. Freedom to hold public lectures, seminars, conduct research and participate in learned conferences by academic staff members has been greatly minimized. Speakers thought to be critical of the government cannot be invited to give public lectures unless otherwise cleared by the government. In many cases requests for such clearance have been turned down. To conduct research or travel out of the country, one requires clearance from the office of the President. The most extreme form of curtailment of freedom of travel for academic purposes

is epitomised by the latest circular from the Vice-Chancellor of Kenyatta University to the Chairpersons of Departments and Deans of faculties which states that:

Many of our academic members of staff have to travel outside the University from time to time. It should be noted that requests for such travels should be related to the mission of the University. In cases of travel to conferences or seminars the applicant should submit a copy of the paper to be presented, for file record, along with the application. Secondly, the applicant must indicate clearly the funding for travel and subsistence. Thirdly, the applicant must clearly indicate how he/she hopes to cover his/her work for the time he/she is away. Finally the Chairman and the Dean should write a brief on the applicant's work status and a recommendation. From now on I will not accept the phrases "forwarded", "recommended", "supported" etc and the guidelines which have been issued by the office of the president on clearance should be adhered to.²⁵

With regard to teaching, the 1982 declaration by the then Minister for Higher Education that his ministry would in future "select lecturers for the University of Nairobi and Kenyatta University College"²⁶ logically sealed the fate of non-conforming intellectuals. The subsequent crackdown on Marxist-oriented scholars in 1982 illustrated the extent to which the state was willing to suppress academic freedom at the alter of the nebulous "state security" principle²⁷. Many non-conforming scholars have had their employment terminated, others detained and many more have gone on exile. In other instances scholars have been denied permission to travel abroad for conferences or sabbatical leave²⁸.

In order to further discourage dissent and heterodoxy, the most fruitful environment for scholarly progress, the state

has employed a miscellany of contrivances encompassing the presence of police informers amongst the staff and students. In addition an effort has been made to nurture branches of the ruling Party KANU branches in the universities (a right denied to other political parties) and to co-opt supposedly 'patriotic' professors into the regime through appointment to boards of directorship in state-owned enterprises. Equally significant has been the mortification of the status of university lecturers in the eyes of the public by politicians. Academics have been stereotyped as long-bearded shabbily dressed revolutionaries on the payroll of foreign masters²⁹. The import of all these stratagems has been academic self-censorship on the part of the existing academics. Thus, sensitive issues like social inequalities along political, economic, ethnic and gender lines are hardly ever taught with reference to Kenya.

The realization that an individual scholar is too vulnerable to enjoy academic freedom and that a divided intelligentsia is too weak to safeguard university autonomy has been one of the driving force behind the unionization moves. The union anticipated setting up principles, procedures and fundamental rules of good academic practice. A strong trade union would provide its members with a collective power to counter measures designed to erode academic freedom.

THE RESURGENCE OF FACULTY UNIONISM IN THE MULTI-PARTY ERA

The financial, management and political crisis in Kenya's public universities has provided the backdrop, and indeed the catalyst for the clamour for the re-establishment of faculty unionism since 1992. The Universities Academic Staff Union (UASU) was nevertheless formed against the background of a rapidly stalling democratic movement in Kenya. The conclusion of the multi-party election in December 1992 failed to alter the status quo in the polity and, by extension, in the universities. The second phase of the democratic process took the form of

strengthening and empowering social movements, institutions and professional groups and organizations. UASU was a creature of this era of frustrations and disillusionment.

The Academic Union had stepped in to fill the vacuum that had been left by USU. In its objectives, it resembled USU: it sought to improve relations between the universities councils, its members and students and to address the general economic matters and conditions of work to its members³⁰. The government refused to recognise and legalize UASU, when members sought its registration at the Registrar of Trade Unions Office within the Attorney-General's Office.

The government's opposition to UASU had its fundamental causes in the power struggle at the political front. Because it had criticised the various universities administrations as arms of the KANU government, and indeed blamed state interference for the mess that has engulfed public universities, the government viewed UASU as a bridgehead of the opposition parties' onslaught against the government-dominated universities administrations. The Registrar of Trade Unions, in his letter of reply to UASU's application for registration stated that the union could not be registered because "registration of such a union is not in the interest of security and stability of this country."³¹

The lynch-pin of the government's and universities administrations' opposition to UASU was objective (e) of its constitution which aimed at "securing of participation where possible in the consideration and formulation of universities policies."³² One university publication while interpreting this objective argued that:

Objective (e) is the basis of UASU's intended usurpation of powers vested in the institutions of chancellor [President], Council and senate. To secure participation in the consideration and formulation of universities policies would be an infringement on the constitutional prerogatives of the chancellor, council and senate³³.

Examples from universities, both in Africa and the West, where faculty unionism is well established, show that rather than supplanting the senate system from its decision making roles, unionism strengthens and supplements the former³⁴. Unionism has the capacity of mediating the crisis of governance in the public universities by providing an alternative structure for participatory democracy.

On November, 1993 UASU officials called a general strike involving academic staff from Kenya's four public universities. The strike, which was meant to compel the government to register the union, turned out to be the most protracted and expensive industrial action in Kenya's labour history. By August 1994 some universities were still closed. In the fourth month of the strike in February 1994, a report put the financial losses incurred by universities at Ksh 300 Million (US \$5 Million) . Given the dire budgetary strait that faces Kenya's public universities, this is no doubt a colossal figure³⁵. The strike has paralysed academic programs, disrupted examinations and led to violence on campuses. Violence escalated when students joined the fray and engaged the police in running battles. In the process a number both policemen and students were injured³⁶.

The response of the government and universities authorities has been draconian. Twenty seven lecturers, including officials of UASU, have been sacked. Salaries of hundreds of others have been suspended. Owing to the spiralling inflation in Kenya which had reached a fever-pitch in 1993/94, and the dependence of lecturers on their salaries, these measures have dealt a staggering blow to the strike effort. By June 1994, in Kenyatta, Moi and Egerton universities, the strike had been reduced to a few pockets of resistance. In September of the same year, the disillusioned UASU leaders called off the strike.

In its aftermath the strike has badly strained the relationship between lecturers and the various university administrations. The latter have refused to harken to the voice of change. Indeed, the state has tightened its hold on the univer-

sities. Even in universities where positions of Deputy Vice Chancellors, deans and chairmen of departments are usually filled by elected officials, these are now nominees of the government. Disillusioned academics have begun to seek new opportunities outside Kenya, especially in universities in Southern Africa. This has precipitated a massive brain-drain that is likely to have devastating effects in public universities. Some faculties such as technology at Moi University have virtually collapsed; courses that were initially designed to take three years are likely to take four or so years. The spectre at the university is the best illustration of the phenomenon of stalled democracy at the political front.

CONCLUDING REMARKS: UASU AND THE QUEST FOR ACADEMIC FREEDOM

In a wider context, the emergence of UASU is symptomatic of the decline in an academic's cherished weapon-academic freedom. Academic freedom is the instrument through which academics can conduct research and disseminate their findings and contribute to human development. Ake contends that "because of the underdevelopment of capitalism, the statism of African social formations and the state ownership of universities and research institutes, the African academic is typically a wage slave to state capital"³⁷. To understand the nature of academic in Africa one has to appreciate the role played by the state in human capital formation.

The state in Africa has always been in a crisis of legitimacy on account of both internal and external factors. Internally, the failure to transform colonial structures led to development of instruments of coercion to de-radicalise nationalist movements, imposition of monolithic political systems and the use of brutal force to suppress criticism against post-independence leadership failures. Kenya has evolved in a similar sequence politically. Soon after independence, the in-com-

ing political leadership retained the oppressive colonial structures of administration: retained and added oppressive laws, out-lawed the opposition and instituted an all powerful presidency .

The problem of academic freedom arising from the nature of the state has been further exacerbated by the economic crisis bedevilling the continent. The World Bank initiated Structural Adjustment Programmes have led to the decline in financial commitment to the universities by African states. Academic infrastructures like libraries, bookshops and research facilities have withered just as student enrollment has increased. Changes in exchange rates associated with these adjustment programmes have considerably reduced academic salaries..."to the point where self-reproduction is impossible, triggering off a massive exodus of academic talent from universities to more lucrative pursuits at home and abroad"³⁸. The reality in Kenya is that most academics are engaged in private consultancy and part-time teaching.

Due to this erosion of the material base of African universities, academic freedom has been seriously compromised. A politically-inhibiting and economically-strangled intelligensia cannot participate effectively in the search for truth. The struggle through faculty unions for improved financial and material conditions in the universities represents the beginning of the fight for restoration of academic freedom³⁹ The Kampala declaration on intellectual freedom and social responsibility of 1993 noted that academics have an inalienable right to form and join trade unions to articulate their welfare. The declaration also noted that the struggle for academic freedom is part of the struggle for democracy and human rights as it involves the struggle to preserve human intellectual freedom⁴⁰.

Needless to state, the failure of UASU and the collapse of the strike is symptomatic of the failure of democratic transition in Kenya after the introduction of the multi-party political system in 1991. KANU, the ruling party since 1963, easily won the first multi-party elections. It controlled the electoral machinery, the provincial administration, the public broadcast

media, and the police while the opposition was deeply divided. The aftermath of the elections saw the KANU government engage in anti-democratic tendencies such as arrest of opposition politicians, refusal to register professional associations and rejection of any dialogue with the opposition even on matters of national interest. It is in this bellicose atmosphere that UASU came into the fray. The state was not going to relax its hold on public universities. For faculty unionism and therefore academic freedom to materialise in Kenya's public universities, a democratisation of the body politic is a pre-requisite. The democratisation of the political system will have to be achieved before professional associations and unions gain their rightful place.

NOTES

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4. *The Weekly Review*, 21 January, 1994. p. 11.
5. *Africa Watch*, March, 1993. p. 20.
6. *The Weekly Review*, 21 January, 1994 p. 11.
7. *The Weekly Review*, 21 January, 1994 p. 12.
8. *The Weekly Review*, 21 January, 1994 p. 12.
9. Republic of Kenya, *Economic survey 1992*. (Nairobi Government printer, 1992) p. 172.
10. For detailed discussion see R. Hughes and K. Mwiria "An essay on the implications of University expansion in Kenya" *Higher Education* 19, (1990), pp. 215-237.
11. *The Weekly Review* 21 January, 1994 p. 5.
12. C. Muchungu "Ministry in a fix" *The Standard*, 7 May 1988 p. 15.
13. Hughes and Mwiria "An essay on the implications of University expansion in Kenya" p. 227.
14. P.P.W Achola "University expansion in Kenya: Focus on

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15. Republic of Kenya *Report of the Presidential working party on Education and manpower training for the next decade and beyond*. (Nairobi, Govt. Printer, 1988) p. 139.
16. *Daily Nation* "Varsity places closing to many". 14 May 1988, p. 14.
17. Kihumba Kamotho "The Mess at Campus" *Daily Nation* 19 March 1994 pp. 14-15.
18. Kihumba, The Mess at Campus. pp. 14-15.
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21. In 1985 the exchange rate between the Kenya shilling (Ksh.) and the United States dollar (US\$) was approximately Ksh 23 = US \$1. In 1994 the exchange rate is approximately Ksh 70.= US \$1.
22. Irungu Munene "Kenya's public universities in the eras of political unionism and political pluralism: Abridgement of academic freedom and future prospects" *Seminar paper 20225*, Bureau of Educational Research Kenyatta University 1993 p.11 and M.C. Young "The African university: Universalism, Development and Ethnicity" *Comparative Education Review* 25(2) 1981 pp. 145-163.
23. Kilemi Mwiria "Democratizing kenya's public universities" *Basic Education Forum*. 4(1994) p. 47.
24. S.N. Bogonko *Reflections on Education in East Africa*. (Nairobi, Oxford University Press, 1992) p. 139.
25. Eshiwani, G.S "Requests to Travel Outside the University" Vice-Chancellor Internal Memo to Chairmen of Departments and Deans of Faculties, Kenyatta University 3/7/1995.
26. Cited by J.A Nkinyangi "Who conducts research in

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27. *The Weekly Review* "Time to forgive: The president offers amnesty to self exiled lecturers" 13 May 1983 p. 10.
28. See Munene "Kenya's public universities..." and *Africa Watch* "African universities: Case Studies fo Abuses of Academic freedom" Paper presented at the symposium on Academic freedom, Research and social responsibilities of the intellectual in Africa. Kampala, Uganda 16-29 November 1990.
29. See for instance W. Kisiero "Kisiero criticizes marxist lecturers" *Kenya Times* 9 May 1985 p. 5.
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38. *Ibid.*
39. Moussa Samb "The SAES: The Record on Academic

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40. "The Kampala Declaration on Intellectual Freedom and Social Responsibility" in Diouf and Mamdani (eds.) *Academic Freedom in Africa*. Daker, Codesria, 1994. pp. 349-353.

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