

- **The Crisis of Governance in Kenya's Public Universities: Reflections on National Politics and Institutional Decline**

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## **Introduction**

On November 29, 1993 — in a landmark protest — the academic staff of Kenya's public universities went on an indefinite strike to press for the recognition and registration of their newly launched Universities Academic Staff Union (UASU). This marked the apogee of the crisis of governance that has engulfed these institutions since the first university was established in 1963, the year of Kenya's independence. In a more significant sense it brought together, albeit in a bellicose atmosphere, the four actors in this crisis: 1, the government; 2, the university administrations; 3, the academic staff; and 4, the student community.

This paper seeks to delineate the genesis of the governance crisis in these universities, and its possible remedies. As a starting point, it is imperative to examine the state-university relationship in Africa and how they interact with the wider socio-political environment. It is equally pertinent to identify the major sources of conflict in African universities as they relate to the question of governance.

The theme of university governance is of special significance for two reasons. First, universities are the highest institutions of learning and thus in many cases they are accessible to a few privileged elites. Consequently they have a special nexus with the wider body politic; being perceived as either guardians of democracy or allies of dictatorships. Second, as Africa moves towards the full acceptance of multi-party democracy and South Africa emerges from the throes of apartheid towards multi-racial democracy, higher education in the continent in the twenty-first century will need institutional reforms to make it more democratic and accountable.

## **The State and the University in Africa: Sources of Conflict in Fragile Polities**

Universities and national governments have co-existed in an uneasy and conflictual relationship in much of the African continent. These conflicts have a lot to do with the nature of the universities; the historical origin of African universities and the nature of the African socio-political environment (Mwiria, 1992). The outcome of these incessant conflicts has been the erosion of academic freedom, curtailment of university autonomy and ultimately a deterioration in the quality of education provided.

Upon achievement of independence, many African countries evolved into authoritarian rather than democratic states as:

oligarchic regimes replaced popularly elected ones and, in certain cases, this change was accompanied by violence, the assassination of popular political figures and the imposition on society of repressive military regimes which had little hesitation in proclaiming by decree that 'politics is from henceforth banned and we shall concentrate on development' (Nyong'o, 1992: 98).

Ake (1978) and Ibonvbere (1993) have given excellent critiques on the political-economic provenance of these moribund political systems. They contend that political independence not only exposed the weak material base of the incumbent leaders, but also revealed the distorted, disarticulated and fragile bases of African societies, thereby severely limiting the ability of leaders to make good their promises made during the nationalist struggle for independence. The need to maintain the existing property relations, conditions of dependence and underdevelopment and the deteriorating economic situation gave these leaders virtually no room for manoeuvre.

Given their powerlessness, a tendency to corrupt and unproductive dispositions, coupled with their total subservience to more powerful transnational interests, some African leaders have consequently:

relied on repression, human rights abuses, depoliticization, ideological containment, propaganda and rhetoric, diversion, lies, bribes, manipulation of primordial differences, building of personality cults, attacks against intellectual thought and popular institutions, the privatization of public power, defensive radicalism, political posturing and perpetuation of underdevelopment (Ibonvbere, 1993: 39-40).

These coercive measures were employed "mainly out of the ruling class's insecure hold on political power, and the need to support it with a sound material base" (Ake, 1991).

With such totalitarian regimes in place, it is doubtful whether universities in Africa could have developed into centres of excellence in scholarship. Universities by their very nature are anathema to undemocratic political systems. As Young rightly pointed out, nationalism and totalitarianism have provided the dual impetus for the subjugation of the African university since:

Authority-conscious regimes, sensitive as to their stability and survival ... are necessarily attentive to basic political control over the university. While expatriates dominate the university, the issue is posed in terms of representativeness to national and developmental goals traced by the regime. Once the staff is Africanized, the

latent threat exists of the university becoming a citadel of opposition (Young, 1981: 145).

Central to the state-university conflict in Africa have been the twin issues of university autonomy and academic freedom. University autonomy is the principle by which universities regulate their internal affairs without external interference. This is particularly relevant with regard to staff recruitment, student

guarantees the peaceful co-existence of various stakeholders in university affairs without unduly subordinating any of the parties.

Having glossed over the hostile nature of state and university relationship in Africa, it is now worthwhile to narrow the scope further and examine the Kenyan experience. In doing so, it will be necessary to highlight experiences elsewhere in Africa in order to illustrate not only the localized nature of the problem, but also its universal manifestations within the continent.

### **The State and Public Universities in Kenya: the Politics of Institutional Subordination**

With five national universities enrolling over 40,000 students within a span of ten years, Kenya represents the most extreme example of the unprecedented renaissance in university growth in Africa (Kenya, 1992). Though this development has had its spill-over benefits, it has, ironically, been a manifestation of the deeper crisis of governance as the state has more and more come to determine virtually all aspects of university development and management (Huges and Mwiria, 1990). The state's increased interference in university affairs has been most noticeable with regard to university autonomy and academic freedom.

#### **Infringement on University Autonomy**

The legislation establishing Kenya's public universities stipulates that these institutions are autonomous in the conduct and management of their affairs. The universities have enjoyed some relative freedom in recruitment of staff, student enrolment and the determination of their teaching and research programmes. Nevertheless, state interference in the management of university affairs has become a common feature in Kenya's higher education scene. This political manipulation has been most conspicuous with regard to the appointment of key university administrators.

The members of university councils and the core administrative staff—Vice-Chancellors and their deputies, are essentially government appointees. While academic staff and students may have representatives on university councils, they are usually outnumbered by the government appointees. The council members and the core administrators are appointed by the Chancellor who is also the head of state. The appointment of these university officials has not been done on any predictable criteria; that is, either academic merit or administrative competence.

It is, therefore, not surprising to find that chairpersons and members of university councils in Kenya's public universities include political activists of the ruling party and disgraced former civil servants (Kamotho, 1994). In other instances, the criteria for appointment has been dictated by the need to have the "political-ethnic power balance at the national level also reflected at the university setting" (Munene, 1993: 11). Thus during the Kenyatta regime, the top university officials were drawn from its regional support group—the Kikuyu (Young, 1981). Today, where a facade of ethnic balance in top university positions has been created, members from the

current ruling ethnic group —the Kalenjin —have been placed in the immediate secondary positions (Munene, 1993:11).

Through this administrative arrangement, the state has been able to exercise unlimited influence over the internal affairs of the universities. Being only answerable to their political power masters, these politically-appointed university administrators have implemented government directives: taking action against lecturers thought to be non-conforming; closing of universities; and the recruitment and promotion of favoured academics. It is alleged that "phone calls from State House or the Office of the President have led to the recruitment and promotion of some favoured academics" (Mwiria, 1994: 47).

Two examples may serve to illustrate the extreme form of government influence 'in cahoots' with the top university administrators. In 1988, the Joint Admissions Board (JAB) of the public universities decided to limit to one quarter the 13,832 students who had qualified to enter university, because of limited facilities. Due to public outcry President Moi:

directed the Minister of Education and the Vice-Chancellors of the four national Universities to work out ways of admitting most of the 13,000 qualified students. The President said that he had been moved by appeals from the affected parents, students and Kenyans in general during the on-going public discussion about the 13,000 students (Muya, 1988: 28).

The double intakes of 1987/88 and 1990/91 academic years, which have since led to the decline in education quality, because of the low quality of teaching staff recruited and the overstretching of teaching resources and decline in performance in university level examinations, had been ordered by the government.

The government has also managed to dictate the type of degree programmes it wishes to see offered. In its policy of insisting on relevance of university education, the Ministry of Education ordered Kenyatta University to start the M.Ed. (Primary Teachers' Educators) and M.Ed. (Tutor for Diploma College) Programmes. In the 1987/88 and 1988/89 academic years the Ministry insisted on selecting candidates for the courses (Boyonko, 1992:139). These two examples clearly illustrate the tendency by politicians to use education to legitimize the distribution of societal rewards. For an undemocratic regime, it may further serve to reinforce its claims for legitimacy.

Within the university corridors of power, the appointment-nomination syndrome continues to manifest itself in the smallest administrative units where elections or rotational appointments could be more democratic. Heads of departments are personal nominees of the Vice-Chancellor. The criteria for such appointments is not based on seniority or other plausible merits, but rather on personal friendship, ethnicity and, most importantly perhaps, the political opinions of the would-be appointee. This ensures that government views are articulated at the smallest centres of power in the university. The most despicable example that of a department in one of the universities, which has been headed since 1983 by a strong government and ruling party supporter. The state, having been the target of virulent attacks by literature scholars, led by Ngugi wa Thiongo in the 1970s and early 1980s, has had a keen interest in who heads certain departments. The state has also maintained a keen interest in the headships of the history and sociology departments in all public

universities. It is because of these manoeuvres that senates in the state universities readily accepted the new 8-4-4









