Africa Development, Vol. XXII, No. 1, 1997

Bitches at the Academy: Gender and Academic Freedom at the African University

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Introduction: Who are these Bitches?!?

THE TITLE TO THIS ESSAY is derived from an anonymous letter to one of the authors of this paper. Addressed to: 'You Bitch!!!!!', and castigating her for being a bad role model, the letter was clearly a response to several recent critiques of gender-insensitive articles in the local media: 'We don't need your views in the press or on the (sic!) radio', the nameless author wrote. The letter demanded that the author '... keep whatever nonsense you have in your head to yourself'. Such a dispatch reflects the stark reality of gender struggles that continue to pervade the intellectual arena even in a relatively gender-progressive society such as Uganda has recently become (Boyd 1991; Harries 1994; Tamale 1996). Although the language of the protagonists within the staid walls of academia may be somewhat more civil, the antagonism towards issues relating to gender parity and feminism still abounds.

Feminism, women-sensitive agendas and the struggle for gender-equality continue to meet a great deal of resistance and resentment from both within and outside the academy.[1] It is reflected in issues as specific as the choice and

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1 While free expression is a critical component of academic freedom, the media presents an ambivalent context for gender struggles. As Ruth Meena (1995:4-5) has observed:
'Women have been negatively portrayed in the media.... The mass media which is supposed to play a very instrumental role in linking the civil society and the state has been instrumental in undermining the dignity of women through negatively portraying them, or through making them invisible where visibility would have enhanced self confidence and assertive skill building. The media often fails to include the views of women in various forums, and as such the media has just managed to suppress women's democratic claims'.

structure of a particular curriculum (Phiri 1994),[2] in the underfunding of gender-related research (Imam and Mama 1994; Iweriebor 1990) and in the issue of affirmative action in faculty hiring (Mbilinyi and Mbughuni 1991). It extends to the question of academic promotions and the overall administration of the university (Hamad 1995:77). In an institution traditionally led and controlled by men — as the academy has and continues to be — it is of little surprise that such matters remain of paramount importance. Indeed, when combined with the globalized crisis presently afflicting the African university,[3] it is clear that the situation can only get worse. The strictures on the phenomenon also relate to what can and cannot be said about gender relations, the place of women and men in the articulation of viewpoints of such a nature, and the response of both the academy and society at large to the intellectual struggle to attain gender parity. By prefacing the discussion of the topic in this fashion, we seek to illustrate the problems of theory and praxis involved in dealing with the issue of gender and academic freedom in the contemporary African university.[4]

As a topic of intellectual discourse, the subject of academic freedom in Africa has attracted much recent attention (cf. Diouf and Mamdani 1994). However, few examinations of this important subject have incorporated a gender analysis of the phenomenon (Sow 1994:6).[5] A critical investigation of gender and

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2 Isabel Phiri points to the nature of the problem in this respect,
'Women experiences have been singled out as an important ingredient of a good curriculum because women comprise more than half of the population of the world. Yet for a long time our curriculum has been dominated by male perspectives. The bibliographies of many courses have shown that males have been the only thinkers. It is no wonder then that the decisions made by our graduates reflect a male bias and ignore the experiences of women' (Phiri 1994:2).

3 As recently pointed out by the African Association of Political Science, this crisis has assumed a two-fold dimension:
'For many lecturers the struggle for survival now takes precedence. Regrettably, also, under the wise counsel of the World Bank and the IMF governments no longer see the university as the vital agent for national development. Now the fashion is to regard university education as a luxury, expensive, and a privilege the cost of which has to be borne by those who use it. Hence the rapid decline of the university' (AAPS 1996:1).

4 The authors are aware that African universities are by no means homogenous institutions. The general term as used in the context of this essay symbolises African institutions of higher learning as they are similarly and generically affected by issues of gender, class, colonialism and decolonization.

5 Gender is distinguished from sex (the anatomical and hormonal distinctions between men and women); the concept of gender refers to the learned attitudes, values, behaviours and expectations that characterise individuals as being feminine or masculine (Gonzalez-Calvo 1993; Peterson and Runyan 1993).

academic freedom will reveal the relations of power, resources and personalities among men and women at the academy. To what extent can women freely exercise their academic skills in a context that emerges from sociocultural, political and religious systems which shape gender roles that subordinate women to men? How can women be deemed really free actors when the academy is itself riddled with prejudices that derive from the exercise of power in an institution that is traditionally authoritarian and isolationist?[6] Finally, have African academies moved out of the shadow of the colonial influences of their formative years — influences that dictated a divorce between the academy and society, between politics and practice, between theory and praxis? Many of the answers to these questions will illustrate the extent to which progress in the area is real or ephemeral.

We likewise need to be cautious about uncritically projecting the concept of gender which has mainly developed in Western feminist theory onto African culture and politics. This is because the nuances of gender relations manifest variable factors in different societies, informing gender discourse in distinct contexts. In particular, the dialectic relationship between gender, class, colonialism and decolonization is pertinent for an analysis of gender in the African context (Okeyo 1981; AAWORD 1982). While the university as we know it is a product of Western educational and institutional developments, its transplantation to the African context — as with the English Common Law — has produced an amalgam of the specific sociocultural conditions into which it was transplanted and the colonial dictates by which the system was informed. As we have stated elsewhere, in discerning to what extent the 'personal' constitutes the 'political' in an analysis of the question of gender, it is essential to always remember that, '... what in Africa appears to be a local political act is compounded by the frustrations and tensions set in motion by global forces' (Oloka-Onyango and Tamale 1995:702). At the same time, we must be sensitive to the continuing influences of global hegemony (particularly in the field of information) over present African reality. Just as modernisation theory in the late 1950s was hatched in American Social Science faculties and exported to their African counterparts to disastrous effect, the Women-in-Development (WID) phenomenon was conceived by the International Financial Institutions (IFIs) and rammed down the throats of loan-recipient governments and pliant educational

6 The lecture method in vogue at most African universities evokes the Victorian schoolmaster pontificating on a topic about which he is the 'fountain' of all knowledge. The method is peremptory, non-participatory and dictatorial (cf. Friere 1972; Illich 1974).

institutions. Needless to say, it has left a dubious legacy that has proved wanting in achieving, '... the desired result of gender equity' (Etta 1994:58).

This paper considers the nature and character of formal structures of higher education in which both the myths and realities of gender parity and academic freedom in the African context are initially played out. It takes a broad purview of the topic attempting to illustrate the historical, sociocultural, political, economic, geopolitical and legal dimensions of the issue. Drawing mainly from theoretical and empirical studies in the area as well as the lived experience of both authors, the study considers both historical and contemporary dimensions of gender struggles and academic freedom.

The essay is divided into five sections. This introduction comprises the first. Section two examines the historical context commencing with an analysis of the colonial period and extending into the era of African independence. In particular we consider the broad relationship between freedom of expression, academic freedom and the expression of issues relating to gender in the African academy. The third section deals with the status of women/gender education in the academy. Considered herein are the contradictions between traditional gender roles and the basic principles of academic freedom in intellectual discourse as enshrined in the two main instruments on academic freedom on the continent—the *Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics*, and the *Kampala Declaration on Intellectual Freedom and Social Responsibility*. Of particular relevance is the question of popular mythology about women and their place in society as well as the political and social constructions that have taken place over time e.g., the character of women's education and its relation to the work women are traditionally supposed to perform.

In the fourth section we examine the place of the woman student in the academy and how this affects academic freedom in intellectual society. We analyse the specificities of the context in which women students operate. Of particular importance is the relationship between Faculty and student, intra- and inter-student gender relations and how these are played out in the sphere of student politics and leadership. The place of women students in the articulation of gender issues at the academy is also explored. The last section constitutes an examination of some of the legal dimensions of the phenomenon of gender and academic freedom by revisiting the main international and regional instruments of relevance to the issue. The essay ends with concrete suggestions on how to improve the articulation of gender issues in the context of academic freedom.

Gender and Academic Freedom

The Historical Context

'Academic Freedom' has been defined as 'the freedom of members of the academic community, individually or collectively, in the pursuit, development and transmission of knowledge, through research, study, discussion, documentation, production, creation, teaching, lecturing and writing'.[7] While the general perception of institutions of learning is that they are designed to propagate knowledge and stimulate inquiry, it is not always the case that those institutions are themselves free of serious structural and ideological impediments to achieving the objective of intellectual debate and progress. As Anthony Arblaster (1973:1) has pointed out in an early study of the concept of academic freedom in the context of England:

> Academic freedom and academic democracy go hand in hand. For the principal, though not the only, threats to freedom in education derive from the authoritarian structures of educational institutions. A society which constantly advertises itself as free and democratic manages to tolerate an extraordinary degree of authoritarianism within almost all its major institutions. This contradiction between pretensions and practice is unlikely to last indefinitely. Sooner or later a choice will have to be made between greater freedom and democracy, or less.

Consequently, academic freedom is posited both between the state and educational institutions, as well as within the latter. In particular, the concept of academic freedom itself has in general not been free of gender bias particularly in light of the fact that women have not only been discriminated against in the context of the issue of access to institutions of learning, but even with regard to what they can study and research about. The basis of such an insidious demarcation is deeply rooted in the colonial history of our continent.

Women in Africa (as is the case the world over) generally entered academia later than their male counter-parts. A systematic and deliberate colonial policy ensured that African women were excluded from the various 'Ivory Towers' that dotted the continent. Not only did missionary education disproportionately extend educational opportunities to males, but men's education was also accorded higher priority than that of women (Staudt 1981). A variety of factors, including the emphasis on domestic chores, generalised conditions of poverty[8]

7 The Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics, 1990.

8 Kakwenzire (1996:298) argues that in a situation of inadequate resources, '... parents reserve resources for educating boys in preference to girls. This is because it was and it is

and the overarching influence of patriarchy, combined to make access to and entrance into academic institutions for women a mirage for much of the colonial period of our history.[9] Women were a rare commodity in the annals of academia, and were Africa's true 'drawers of water, and hewers of wood!'

But as if to confirm that the academy was not free of the gender-biases of the outer world, when women did obtain access, it was merely so as to secure a more sophisticated and simultaneously delocalized version of their original domestication and subordinate status. The educated housewife was viewed by the colonisers as a potential consumer who could motivate her husband's productivity:

> She must be educated to want a better home, better furnishings, better food, better water supplies, etc. and if she wants them she will want them for her children. In short, the sustained effort from the male will only come when the woman is educated to the stage when her wants are never satisfied (Roddan 1958, quoted in Staudt 1989:78)

Following the same tenor, a 1935 Commission on Higher Education in East Africa chaired by one de la Warr, for example, was paternalistic in the extreme (Oloka-Onyango 1992:50-51). In catering to 'the needs of the women' who would become the beneficiaries of the education on offer at the prestigious Makerere College, the Commission emphasised that women should be educated for 'home making!' (Lugumba and Ssekamwa 201-202). Such would obviously include Westernised versions of elite education — sewing, home economics and hygiene, domestic management, nursing and midwifery.[10] Neither the technical arena — engineering, the general, medical and animal sciences, or agriculture— nor the 'esoteric' arts, were opened up to gender parity.[11] It was a classic

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still believed that more economic returns and security were/are realised through educating boys and that girls education is less beneficial'.

9 Kakwenzire (1996:295) refers to these social roles as 'breeder-feeder-trainer'.

10 For an interesting treatment of the rise of women in the nursing profession in the United States, see, Paul Starr (1982:155), who argues that, 'The movement for reform (in the nursing profession) originated, not with doctors, but among upper-class women, who had taken on the role of guardians of a new hygienic order'.

11 Of course, this is not to say that the type of colonial education for men was substantially any better in terms of its transformative potential. Mamdani (1994:1) has pointed out that: 'The few universities set up in the colonial period were designed with a narrow focus on cost-effectiveness in terms of meeting the short-term needs of the colonial state and economy. Prior to World War II, this meant a near-exclusive emphasis on 'technical' education designed to train personnel for the colonial state and the small private sector. After the war, research was added as a necessary component of university education. Confronted by nationalist ferment, the colonial state discovered the practical usefulness of

instance of the transfer of perceptions and realities outside the classroom concerning the appropriate role of women in the family and rooted in male interpretations of 'culture'.[12] At the same time, it was also riddled with the desire to maintain male domination of the labour market, biological determinism, and gender-based divisions (cf. Hyde 1993:108).

Women, Education and Gender Discrimination

Obviously, the broad context of academic freedom for women is directly dependent upon the extent to which the conditions of their access to institutions of learning have become generalised and free of sex-based discrimination. In the words of Odaga and Heneveld (1995:1):

> Perhaps the most daunting challenge is that of promoting female education. This must be a central concern in efforts to improve learning achievements, school effectiveness, teacher motivation, education management, and issues of resource mobilisation and reallocation of expenditure. Such initiatives provide an important opportunity for creating an enabling environment where girls and other disadvantaged groups can participate fully.

Needless to say, the context in which such objectives are to be realised must be viewed against the background of freedom of expression generally. When former Ugandan president Idi Amin banned the Department of Political Science and the teaching of the subject at Makerere in the early 1970s, the move coincided with a massive assault against democratic rights in general and freedom of expression in particular. In a situation where the state not only monopolises the available avenues for expression through the print and broadcast media, but also unduly influences school and university curricula and the appointment of university administrators, it is inevitable that women in particular, and gender issues in general, will be adversely affected.

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funding research into African societies and movements'.

We may add that in any case, women were disproportionately marginalized from the ambit of even this warped form of education.

12 Florence Etta (1994:70) has stated that culture is the single most inclusive constraining factor in fighting the problems faced by women,

'The culture of female subjugation, the religious culture, social customs, traditions, the culture of the school, or the national culture of paying lip service to the issue of gender inequity in education. Biological/genetic differences account for sex differences but cultural factors explain differential role allocation on men and women with men commanding more power than women; power to make decisions, effect them and control events. Modernisation, commercialisation, marginalisation, and the feminisation of work roles or occupations reduced the value of reproduction and work that was perceived as genuine—usually meaning those preponderantly done by women'.

Freedom of expression and the right to education are simply two sides of the same coin, with academic freedom intrinsic to both. The right to education is especially important if the former is to be exercisable in any consistent and liberative fashion. Thus, the stark illiteracy and under-education of African women clearly affects their ability to articulate and express their interests in a wide variety of fields, ranging from politics to the economy. As Rebecca Cook (1995:267) has pointed out, realisation of the right to education serves the goal of individual and reproductive health. Access to contraception, knowledge about different mechanisms of child-spacing, health and welfare invariably mean that women are operating in a more liberated and aware context. Denied these benefits women in Africa face the blunt end of the oppressive element in the system.

But while female education in general has been on the rise in Africa, in some instances '...out of the few who are admitted in the university again fewer do complete their course' (Kakwenzire 1996:299).[13] This is essentially because women academics carry a dual burden that directly affects their freedom to operate and articulate issues in the academy. That burden is contained in the fact that women must pursue both their academic interests while meeting traditional obligations, for which they get little or no help from their male partners and spouses (even when those are academics!). So a woman academic is concerned with child-bearing and rearing, cooking, and domestic household chores or their supervision (Tamale 1996:319, 320). The male partner rarely participates in these duties, and yet the academy judges women at par with men when considering their output and competence. In general, the conditions of maternity and other related benefits and conditions of leave and employment are no better in the academy than they are in the traditional Civil Service. At the other end of the spectrum, male university practitioners are loath to include a gender dimension to their analyses. This is not only the case with outright gender bigots, but even among scholars who believe that they teach 'progressive' subjects.[14] As Imam and Mama (1994:96) point out:

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13 Kakwenzire's figures illustrate that over a seven-year period, the drop-out rate of women in a single class in a Ugandan primary school was 59.1 per cent. Over a ten-year period, the enrolment of women at Makerere University has gone from 18 per cent to 22 per cent.

14 Isabel Phiri (1994:1) offers some explanation of this phenomenon in reflecting on why students at Chancellor College in Malawi protested against a seminar on violence against women,
'One possible interpretation of the reaction of the few male students to the seminar could be that in some men's minds Human Right(s) issues exclude women. Although the whole

> The example of gender and women's studies is an alarming case where there is automatic, voluntary and even active self-censorship. The clear willingness of most social scientists in Africa to omit, ignore and deny the evidence that there is no such thing as 'gender neutral' science is worth exploring. Conformism is not even perceived as collusion with the dominant patriarchal order, despite the evidence that it produces biased and inaccurate data and contributes to the subordination and oppression of women.

At the same time, women academics are confronted by the sexual prejudices that abound among their male counterparts and the lack of a suitable framework within which they can articulate their concerns. To compound it all, within the context of IMF and World Bank structural adjustment programs (SAPs), women academics carry an increased total burden of work as they attempt to make ends meet in a context of decreased access to social services (cf. Kuenyhia 1994:434-435). Against such a background, it is important to examine the gender contradictions women at the academy face in greater detail.

Sex, Power and Academic Freedom: The Gender Contradictions

The forces of patriarchy which pervade the majority of African societies skew the balance of rights to academic freedom in favour of the male gender, vividly illustrating, in the words of Fatou Sow, that '...human rights are not gender neutral' (Sow 1994:7). This is illustrated in part by the fact that the architects of all the existing documents on Academic Freedom in Africa— including the Dar and Kampala Declarations — were almost exclusively men. It also explains why the declarations were more directly preoccupied with the state (another patriarchal institution) than they were with the more gender-related aspects of the concept of academic freedom. The declarations duplicate the international legal and human rights instruments and the highly sexist discourse about the 'generations' of human rights. Male (mainly Western) intellectuals who support the generational paradigm have given pride of place to civil and political rights because this is the arena within which men dominate to the broad exclusion of women. The so-called second generation of rights — health, shelter, education and social services in general — adversely affect women in greater proportion than they do men (cf. Chinkin and Wright 1993; Oloka-Onyango 1995). Is it of any surprise that when we get to the so-called third generation — rights to peace, a clean and pollution-free environment and the right to development—

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country was eagerly anticipating the birth of genuine democracy, for some of our students this did not include academic freedom for women to hold a seminar on a topic of their choice'.

the jurisprudes in the area are completely at sea? Without the appreciation that the roots of patriarchal oppression lie in the smallest unit of societal organisation which is the family, directing attention to the state alone can only achieve limited reform.

While making a significant contribution to the jurisprudence and politics of academic freedom on the continent (Shivji 1994), none of the African declarations addresses the root causes of inequities within academia based on the underlying gendered division of labour. They also omit a consideration of the overarching patriarchal order existing in most African states. Such a bias furthermore explains their inadequate attention to specific gender inequalities such as sexual harassment and gender violence,[15] the latter of which is believed to have no place in the academy, and is generally regarded as a 'domestic' matter. When the basic principles of academic freedom are juxtaposed to the principles of patriarchy, the contradictions between the two are glaring. Below, we draw from some of the basic postulates of the Dar and Kampala Declarations[16] of most relevance to the issue of gender and examine some of the salient features of academic freedom, analysing their efficacy *vis-à-vis* gender contradictions in African societies.

Access to Education Shall be Equal and Equitable

There is a considerable disparity between men's and women's access to education.[17] Sixty-four per cent of women in sub-Saharan Africa are illiterate compared to 40 per cent of the male population (UNESCO 1990). As one proceeds up the educational hierarchy, these gender disparities grow in magnitude i.e., the higher the level of education the greater the gender disparity (Ballara 1991). A cursory glance at the gender ratios of students and academic staff in African institutions of higher learning reveals the stark imbalance that favours men against women. For example, in Chad and the Central African Republic, women make up less than 10 per cent of the student population of tertiary institutions (Hyde 1993:100). At Khartoum University in the Sudan, the ratios of women to men academics in Political Science, Sociology, and Law are

15 We use the phrase 'gender violence' in a broad sense as does Nahid Toubia (1994:16-17) when she argues that such violence comprises not only a series of *commissions*, but also *omissions*, which amount to '[a] failure to recognise the existence of fundamental human rights...'.

16 See especially, Chapter One of the Dar Declaration, entitled, 'Education for Human Emancipation', and Chapter One of the Kampala Declaration named, 'Fundamental Rights and Freedoms'.

17 See Principle No.2 of the Dar Declaration.

1:15, 3:18 and 1:12, respectively (Hamad 1995:77) Such inequitable proportions are not accidental. Instead, they reflect deep-rooted social and cultural norms which infiltrate the educational system right from the elementary level (see Mbilinyi and Mbughuni 1991).

When one examines the class-origins of the few women who make it to African universities either as students or faculty, one finds that the per centage with a peasant background is minuscule (Eisemon *et al.* 1993:39).[18] This is true despite the fact that over 80 per cent of the population in sub-Saharan Africa is made up of the peasantry. In the absence of state-supported primary and secondary schools in the greater part of the continent, few peasant children make it to the university. Thus, even within the purview of gender relations, the dynamics of inequality in African societies bestows privilege to a minority class of women. This implies that the disparities between the sexes with regard to accessibility to education invariably mesh with class distinctions within the different sexes. It is thus important to pay attention to the interrelationship of class and gender when addressing issues of academic freedom. In sum, the problem of disparities between the sexes is exacerbated for women by the fact that they constitute the majority of the economically impoverished class on the continent.

The legacy of unequal access to education primarily stems from obstacles resulting from the gendered division of labour. The traditional production and reproduction roles performed by most African women including domestic work, child rearing and agricultural and cultural activities, virtually leaves them with no time for educational pursuits. These obstacles are compounded by patriarchal structures of power which not only place greater value on boys' education than that of girls, but also discriminates against women in all spheres of social life. The same factors dictate women's submissiveness to male authority. Religion also plays a part in reinforcing gender disparities in education. As Ballara (1991:11) observes: 'Some religious traditions may restrict women's activities to domestic tasks, stressing their role as mothers, which limits their access to education'. This implies a much more comprehensive approach to the issue of

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18 The question of class background was confirmed in a 1991 Makerere University survey of which a Review Team commented,

'A high proportion of students, particularly those enrolled in the most selective faculties, were from professional families .... To obtain admission to Makerere, many students repeat the A level examination to boost their scores and/or have private tutoring. Few economically disadvantaged families can afford to make these provisions for their children' (Eisemon *et al.* 1993:39).

gender parity, and a concerted assault against the barriers that stand in its way. Etta (1994:60) is right on the mark when she argues:

> Improving the status of women will therefore require a reorientation of development and development efforts, a redefinition of key concepts such as education and empowerment, and gender development planning to improve the range and quality of integrated gender responsive operations. A conceptual approach to gender issues in education is of immediate necessity to improve the gender sensitivity of educational provision and analysis and to offer an acceptable or common approach for addressing gender issues in education.

Obviously this is a long drawn-out struggle, but the essential elements thereof need to be put in place immediately. Such struggle must include a more intensive scrutiny of the phenomenon of schooling itself. In the absence of such a process, the issue of discrimination will continue to remain a significant impediment to the betterment of the condition of women. A review must incorporate both the microscopic elements of gender discrimination that emanate from within the family as well as the macroscopic factors that pervade society, the state and its structures and institutions.

Education Shall Prepare a Person to Strive for and Participate fully in the Emancipation of the Human Being and Society from Oppression and Subjugation

The educational environment in African schools[19] from the elementary level upwards — as is the case elsewhere in the world — is designed to ensure the maintenance of the status quo. In other words, the educational system in the main represents the institutionalisation of patriarchal consciousness and values.[20] As Sheila Ruth (1980:382) observes:

> In functioning both as trainer for participation in the wider society and as a reflection of that society, the schools transmit to their students the rather traditional views on sexual identity, and very early they convey, create, and reinforce in females and males the segregated conceptual systems of the sexes.

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19 See Principle No.3, Dar Declaration, and Article 22 of the Kampala Declaration.

20 Ivan Ilich (1974:113) makes the point more succinctly— albeit absent a gender analysis — when he states:

> A society committed to the institutionalisation of values identifies the production of goods and services with the demand for such. Education which makes you need the product is included in the price of the product. School is the advertising agency which makes you believe that you need society as it is. In such a society marginal value has become constantly self-transcendent'.

Whether transmitted directly (for example, by encouraging girls to take 'soft' subjects such as Home Economics, stenography and Literature, and pushing boys in the direction of the 'hard' ones like science, business management and engineering), or subliminally (such as the gender distribution of the administrative hierarchy in the typical school or university which reflects masculine power), such messages hardly prepare the girl child to strive for the emancipation of her oppressed sistren (cf. Iweriebor 1990:18-21). For patriarchy to do otherwise would spell doom to its very existence.

Certain Western feminist scholars like Rhoda Howard (1995:310) have put forward the argument that it is more important for African women to study the humanities, social sciences and law because, she claims, for such subjects their '... primary objective of study is gender relations'. In this way, she believes that women will be empowered to emancipate themselves from male hegemony and be liberated. However, such an argument is predicated on two faulty presumptions. First, that in African universities the teaching of the disciplines she favours is at all sensitive to gender issues, or even bothers to integrate them into their curricula. Secondly, it ignores the fact that even in supposedly advanced contexts such as the US where women studies departments abound, there has not been a fundamental restructuring of gender relations broadly. This means, therefore, that there is a need for a more fundamental restructuring of the curricula which instead of de-emphasising one discipline at the expense of another, seeks their integration and an inter-disciplinary approach. Furthermore, and most fundamentally for our purposes, the question of gender equality must be a critical component of intellectual discourse and study at the African university. The solution Howard offers to this problem — the creation of more scholarship opportunities for African women to pursue courses of instruction on '...certain social issues key to the abolition of patriarchy — such as violence against women' ... is a thinly-disguised attempt at modern-day proselitisation.

This latter point relates to the whole question of the position of donors in relation to the quest for academic freedom. While Article 17 of the Kampala Declaration stipulates that 'states shall continuously ensure adequate funding for research institutions and higher education', the present reality of SAPs and misprioritisation in Africa means that the state is in serious breach of this provision. As a consequence, the international donor community has stepped in to fill the lacuna. Although neither the Dar nor Kampala declarations make reference to donors as a subject-matter of their analyses, nevertheless, the issue is of paramount importance. This was manifest in the Kampala symposium at which the latter declaration was promulgated. In the report of the conference, note was taken of the fact that:

> ...on the one hand the financial and material support extended by donors, who were generally considered to be of high moral standing, aided African grantees in universities and other institutions to protect themselves against the repression of the state. On the other hand, such protection comes with substantial power, leading to both intentional and unintentional constraints on research into the social sciences (Oloka-Onyango 1994:344).

The report was particularly concerned about the '... often obtrusive and undemocratic methods of work employed by donors, including the rejection of peer appraisal, sitting-in on the deliberations of scientific committees of African research organisations and dictating not only the form but the content of research undertaken (Oloka-Onyango 1994:344)'. There is little doubt that the area of research into gender is one of the current favourites of the donor community— a veritable 'flavour of the month'. This raises serious questions about the extent to which women and gender-sensitive academics in the African context are able to design and execute a truly liberative agenda in this arena. While this criticism is true of almost all areas of intellectual discipline that are being researched in Africa today, it is of special prominence in the context of gender and women studies. Of particular concern is the onslaught instituted by the IFIs, with the World Bank leading the way in this respect (Oloka-Onyango and Tamale 1995:728-730).

In what we have elsewhere described as 'Third Stage Colonialism', the World Bank has mapped out a gender-strategy that places the issues of research into women and the economy, law, politics and culture, at the centre of its concerns and agenda for the African continent. Aside from the fact that the Bank focuses on the effects of gender inequality (for example, WID), rather than its root causes, it also amounts to a case of giving with one hand what is taken away with the other. Through its programs of Structural Adjustment, the World Bank emasculates women scholars and intellectuals of much of their autonomous existence and economic livelihood and independence. In this way the basic tenets of their academic freedom are denied. It is thus surprising to hear the Bank charge that cost-sharing — the Bank's own brainchild — '... is especially likely to work against girl's education (Odaga and Heneveld 1995:15). The pretence of concern manifested by its new assault on women in this area is merely a smoke-screen over an insidious and debilitating agenda. The question must be asked: 'to what extent can a truly liberated research agenda on the issue of gender be developed independent of the dictates of donors?'

Education Shall Enable a Person to Overcome Prejudice Related to Gender

In the arena of neutralising the prejudices relating to gender, it is fairly obvious that there is yet a great distance to traverse. While numerous African institutions have established Gender or Women Studies departments, these remain outside the mainstream, confined to the particularities of their discipline.[21] There is no attempt to marry the quest for gender-neutralisation that takes place within such departments with a campus-wide assault on prejudice and domination. In essence, gender studies have become ghettoised, confined principally to women, and making only a limited impact on the overall struggle against gender bias. Furthermore, when the declarations on academic freedom address the issue of prejudice, they do so in the same fashion that is pursued in the dominant quest for racial harmony in racially-stratified societies like the United States. There, racism is defined merely as prejudice, but in fact racism comprises much more, namely, the dominance, power and hegemony of one race over another. Similarly, it is not simply gender prejudice that should be attacked and eradicated, but the power relations that underpin and foster such prejudice. Ultimately, it is in the interest of patriarchy that education is not geared towards conscientising society against gender prejudice and the power relations underguiding it. That is precisely why the 'bitches' at the academy who attempt to do this are subjected to threats and intimidation — the intellectual equivalent of the burning of a cross.

No African Intellectual Shall in any Way be Persecuted, Harassed Intimidated for Reasons only of his or her Intellectual Work, Opinions, Gender, etc.[22]

Few people would dispute the fact that gender is an extremely significant factor in African institutions of higher learning. A woman lecturer instructing university students as well as a woman intellectual relating to her male counterparts are generally perceived through lenses tainted by their sexuality. Not only are they considered less knowledgeable than their male colleagues, but they also have to work twice as hard in order to legitimise their positions and authority. This is because the environment at institutions of higher learning is dictated by patriarchal values and beliefs. Female intellectuals are the subject of

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21 Principle No.4 of the Dar Declaration.
22 Article No.3 of the Kampala Declaration.

sexual harassment,[23] exclusion from 'Old Boy' networks and almost never part of the hierarchy of Deans, Directors, Departmental heads, or university administrators (Hamad 1995:77).

The omnibus nature of the above principle is hardly an effective statement on the issue of sexual harassment and gender violence. Extra-academic factors and the sociocultural context in a country invariably affect the possibilities for women academics to exercise their rights to academic freedom. Despite the fact that Sudan has traditionally enjoyed academic freedom of a type that is rare elsewhere on the continent, the emergence of the Omar el Bashir regime has greatly affected the expression of women's human rights to academic freedom unfettered by harassment or intimidation. Women academics are forbidden from travelling in the absence of a *muhram* — a close male blood relative — to act as a guardian (*Africa Watch* 1991:94). Women students are coerced into wearing the veil, they have been systematically dismissed from public employment, and the government has detained many women professionals (WUS 1988:119). The situation of women in general and of women academics in particular is compounded by the fact that a March 1991 amendment to the Penal Code relegated women to the status of second-class citizen.

Academic Freedom and the Woman Student

Paulo Friere's classic critique of the mechanics of oppression behind the walls of the classroom — *Pedagogy of the Oppressed* — laid bare the manifestly authoritarian context within which the dissemination of knowledge largely takes place. Unfortunately Friere omitted a critical consideration of an extremely important aspect of that situation, *viz.*, the specifics of the oppression of the female student. Yet, as *African Rights* (1994:8) has noted, '... sexual abuse by teachers which exploits the trust of both students and parents is far more widespread than most institutions care to admit. That abuse ranges from sexual advances, threats of examination failure to outright rape (1994:8-11). Indeed, according to *African Rights*, '...the phenomenon of sexual harassment has been perceived to be so common that many women have come to regard it as 'normal'. At the same time, women students are often victimised at the expense

23 Of course, even women academics are not beyond the unwarranted sexual advances of their male students. *African Rights* (1994:12) quotes a former University of Liberia lecturer who stated:
'Some of the boys were coming on very strongly. They knew I was single and I suppose that encouraged them. They would come into my office, leave me presents, letters, etc... I put an end to it by naming them in class'.

of their male counterparts as in the instance of pregnancy (See Etta 1994:73), which often results in the automatic termination and/or curtailment of her educational privileges while not necessarily the same sanction is invoked with respect to the man.

The Dar Declaration was adopted on April 19, 1990 exactly 71 days following the tragic suicide of Levina Mukasa, a first year Education student at the University of Dar es Salaam. The reason for her suicide? Sexual harassment![24] Despite the wide publicity given to Levina's case and a general expose of the phenomenon of sexual harassment in Tanzanian institutions of higher learning by the local media, the omnibus reference to the issue of 'harassment' in the Declaration clearly failed to come to terms with the insidious nature of the issue. This omission was repeated in the later Kampala Declaration, Article 21 of which states: 'No one group of the intellectual community shall indulge in the harassment, domination or oppressive behaviour towards another group...' While recognising that the issue of harassment is a problem, neither the Dar nor Kampala declarations are explicit in their reference to this issue as one which has clear gender-based origins and manifestations. In other words, they presume an equality in harassment and of its intent and effects between the sexes.

The Dar University wall-magazine, *Punch*, which was a key player in Levina Mukasa's fate, is a particularly poisonous form of sexual harassment. Famous for its auspicious beginnings as the magazine of radical students at the campus,[25] today, *Punch* has deteriorated into a veritable punching-bag directed almost exclusively against female students at the campus where they are ridiculed and abused in the most virulent forms of language (Meena 1994; Che-Mponda 1990). There is no doubt that the incidence of rape too has become a particularly potent tool in the arsenal of gender-related assaults on women in the academy. Perhaps the most terrifying of incidents was the horrendous St. Kizito massacre, which occurred in a Kenyan high school in mid-1991. A total of 19 girls were killed and 71 reportedly raped by their cooed male colleagues. However, as *African Rights* pointed out, but for its scale, it was not '...an isolated event, neither in Kenya nor elsewhere on the continent' (*African Rights* 1994:3-4).

Following from the above experiences, our view is that there is a basic conceptual and practical problem in what Kaufman and Lindquist in a different

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24 For a detailed account of Levina's case see Che-Mponda C., 'Why Did Levina Kill Herself?' *Sauti Ya Siti* No. 8, January-March, 1990 at p.4.

25 Issa Shivji (1993:207) quotes one instance of *Punch*'s early days, when it was used as a debating-point for different views about contemporary social and political issues.

context have referred to as 'gender-neutral' language that can be found in many international treaties attempting to address inequalities between the sexes (see Kaufman and Lindquist 1995). That problem is replicated in the African documents on Academic freedom. The language used in these instruments assumes that with the formal acquisition of a right— in this instance the right to equal treatment and non-harassment — the problem has been solved. It omits an extremely important dimension to the question, namely that the two parties in this instance are far from equal in the first place. While, it is clear that there are women who harass men, the balance of the traffic is in the opposite direction, and yet the provision refers to *both* sexes. Because of the underlying imbalance in power between the sexes, any attempt to address the issue must treat the two sexes against the backdrop of the respective positions of influence and power they enjoy. It is clear that in the academy the question of sexual harassment disproportionately affects women over men. Images of a woman harassing a man, such as that depicted in the Michael Douglas/Demi Moore scenario in the recent movie *Disclosure,* are skewed as a social phenomenon simply because men out-number women in positions of power and dominance. Furthermore, because of the significance of power in gender relations, combined with the cultural and institutional socialisation that women have undergone, it is less likely that women who assume positions of power will manifest the same characteristics as their male counterparts. As Florence Etta (1994:71) has pointed out:

> Boys are generally socialised to be inquiring, adventurous or venture-some, to subdue, conquer or at the very least understand nature while girls are expected to be obedient, malleable, traditional preservers of nature. The tragedy in the situation is that women are themselves the chief agents of this socialisation which confers inequality on their kind. It is not so much the inequality as the effect of the socialisation which is inimical to educational attainment and achievement.

While we disagree with the insinuation that women exclusively bear the blame for their inequality, it is quite evident that the impact of socialisation has a significant influence on the ultimate evolution of gender-characteristics and relations.[26] Consequently, in relation to sexual harassment and several other issues specific to the female student, the employment of gender-neutral language simply masks and obscures the problem. It is our considered view that the use of such language serves to undermine the quest for a direct confrontation and elimination of the problem (cf. Kaufman and Lindquist 1995:115-116).

26 Socialization theory has been criticised for disregarding structural and institutional factors (see, e.g. Randall 1987:84; Epstein 1988:137-140), but in spite of its inherent weaknesses, the socialisation paradigm occupies a prominent place in feminist discourse.

Gender-neutral language allows for the interpretation of such clauses in the subjective social realm, where the interpretation of the right or freedom in question is subjected to the dominant cultural paradigm, which largely omits consideration of women's lived experiences. In the process of interpretation of such clauses, the dominant approach will be from the perspective of a man.

Although the declarations on academic freedom do not have binding legal force (Busia 1996:13), they nevertheless have served an important role in both raising the political consciousness of academics about the issue of academic freedom in Africa, as well as a caution to States that they must be sensitive to the context in which academics operate. However, the failure to develop instruments that are genuinely gender-sensitive illustrates that there is still a considerable distance to cover. In our view, the insertion of the omnibus phrase on 'harassment' in the Dar and Kampala Declarations for example, is at best an expression of political correctness.

The incidents of sexual harassment we have cited above, are just a few examples of the widespread inattention to the woman student by human rights advocates in African tertiary institutions. Sexual harassment is often dismissed as an 'unAfrican' product of Western feminists mimicked by elitist African feminists. However, many female students and female faculty members at the academy can testify to several incidents where they have been victims of sexual harassment while their perpetrators are left unpunished. The prevailing point of view among males is that women like attention being drawn to their anatomical features, that they welcome unsolicited advances from their male colleagues and that in any case, every approach to a woman must in the first instance be resisted! The problem is compounded by the widespread absence of active women students' organisations to effectively deal with the issue. In addition, there is both a 'conspiracy of silence' and a dearth of sufficient mechanisms within school and university administrations designed to comprehensively address the problem. Thus most cases of sexual harassment and gender-based violence remain unreported for fear of a backlash or out of worry of being labelled or otherwise victimised (*African Rights* 1994:17). This implies the need to examine the legal framework which is of most relevance to this situation.

A Note on the Legal Framework

The legal regime governing women's rights in general is not wholly conducive to women academics and their expression of academic freedom. At the international level, the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) addresses the issue of equality in education in Article 10. The article stipulates that states parties shall take appropriate measures to eliminate discrimination against women in order to

ensure them equal rights with men in the field of education. In particular, states parties must take measures to ensure non-discriminatory conditions of education and access; equal standards and quality of education; the elimination of stereotyped concepts of the roles of men and women; similar opportunities to benefit from scholarships and study grants; the same opportunities of access to continuing education programs; reducing the rate of female dropping out; equal opportunities for participation in sports and physical education, and finally, for women to have access to specific scientific information to help to ensure the health and well-being of their families.

CEDAW has the highest number of states parties of any international human rights instrument but is nevertheless plagued by a variety of problems. Despite having come into force in September 1981, the idea of an individual complaints mechanism whereby individual women could present their cases to the Committee established under the Convention has only of recent come into existence. This has meant that instances of individual rights violations are not the specific concern of the Committee. Instead through the mechanism of states parties reportage to the Committee, the issue of gender-based discrimination is addressed from a progressive and collective dimension. CEDAW also has the highest number of reservations with many states predicating their observance of the rights in the instrument upon respect for local 'culture'. Such reservations have had the effect of substantially undercutting the rights that the instrument sets out to guarantee in the first instance. The Committee which has charge of the implementation of the Convention is starved for funds and it meets only once every year. Furthermore, being mainly dependent upon state reports, positive advances in the system are primarily reliant upon the goodwill of states parties to the Convention. In sum, CEDAW is a limited tool in the general struggle for the liberation of women. Elsewhere we have stated that the promulgation of CEDAW,

> ... also produced a reverse (and perhaps unintended) consequence in which the strategy and profile of the international women's human rights movement were to some extent dictated by action under CEDAW. In short, the focus on CEDAW produced a paradox by successfully highlighting, but simultaneously ghettoising, women's human rights issues within the international legal and political arena (Oloka-Onyango and Tamale 1995:716).

In the final analysis, therefore, CEDAW is quite clearly inadequate as a mechanism for the realisation of the rights of women to academic freedom. Some recent advances have been made in particular respect to the promulgation of the Declaration Against Violence on Women, but since this instrument is not of binding effect, it remains to be seen whether it will dramatically add to the

struggle to tackle the problem of violence against women in its various dimensions.

Viewed from a different angle, the international level is also rather remote from the lives of African academics and consequently it is necessary to look closer to home. CEDAW did not spawn a duplication at the continental level in the same way as either the international Covenants or the Convention on the Rights of the Child. Indeed, the African Charter on Human and Peoples Rights which came into force the same year as CEDAW, hardly addressed the issue of women's human rights. Article 18 of the Charter is the only reference-point for the rights of women in the instrument (Kois 1996). The article covers the family, describing it as the '... natural unit and basis of society' which must be protected and assisted by the State, as the '... custodian of morals and traditional values recognised by the community'. Already, there is potential for conflict as this provision can effectively operate as a bar to the recognition and enforcement of women's human rights.

Perhaps the most important of the provisions of Article 18 is sub-paragraph 3 which stipulates that the state shall ensure the protection of the rights of the woman and the child as stipulated in international declarations and conventions. Academic controversy and discussion abounds over the general relationship between women's human rights in the African context in general and Article 18 of the African Charter in particular (see, e.g., Beyani 1994; Oloka-Onyango and Tamale 1995 and Kois 1996). Whether one takes the view that the provision is a positive one that enhances respect for the rights of women and the family or in fact undermines them, the question of enforcement remains a practical issue of utmost importance in the struggle for the realisation of women's human rights particularly in the arena of academic freedom. There has not been a single petition regarding the violation of women's human rights that the African Commission has considered since its inception in 1988. The first female Commissioner out of eleven was appointed in 1992 and was only joined by a second in 1995. The receptivity to and publication of women's human rights by this body thus remains very low. It is compounded by the fact that there is a general weakness in the effectiveness of the Commission, namely the fact that it is ultimately responsible to, and dependent upon the Organisation of African Unity (OAU) Assembly of Heads of State and Government. Few bodies are more undemocratic, sexist or discriminatory.

Concluding Remarks

What does the above analysis mean? Basically that there is a lack of a comprehensive, gender-sensitive, all-embracing normative framework in which the concerns of gender and academic freedom are clearly spelt out. In the

African context the essential first step must necessarily be the promulgation of a declaration or edict on gender and academic freedom to supplement and fortify the existing Dar and Kampala documents. Special attention in such an instrument would cover the essential issues of gender parity, sexual harassment, stereotypes, violence, discrimination and prejudice, among others. Secondly, there is an additional need for a continental legal mechanism building on the spirit of CEDAW and the Lima Declaration at the international level and the African Charter together with the Dar and Kampala declarations at the regional levels, which comprehensively addresses itself to the broad human rights of African women.

At the same time, the limitations of a purely legalistic approach to the problem must clearly be laid out. The problem is not a legal one *per se*. Rather, it is deeply rooted in a variegated web of social, economic, cultural, political and even conceptual problems. To overcome these factors, the strategies adopted must likewise be multifarious and cross-disciplinary. At the end of the day, the struggle for academic freedom for women, just as is the case with men, cannot be isolated from the broader struggle for democratic and human freedoms. As we have sought to illustrate in this essay, the lack of academic freedom within the context of the academy (the epitome of institutional learning) in fact has its roots in a much smaller microcosm of society— the family — the institution in which the process of learning commences. This implies, first and foremost, the democratisation of the family. Of course, in the context of state structures which are inimical to the democratic evolution of either the family or the academy, the quest for gender-sensitised academic freedom remains a distant hope. The opportunity to change this condition must be seized upon by progressive, dynamic and enlightened women and men in order to move towards a democratic, engendered, and participatory social framework for African humanity.

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