

## **Academic Freedom and State Control on Universities: Lessons Learned from Sudan Experiences**

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### **Abstract**

*This paper aims to identify the importance of academic freedom in promoting academic process in Sudan. Although the modern history of higher education in Sudan goes back to the era of British rule, higher education in Sudan has a long experience of interaction with politics. Institutions were badly affected by the political climate as well as being instigators of political changes. Thus the paper adopts the historical and analytical view in dealing with the issue of academic freedom and state control on universities. However, higher education in Sudan is likely to be in a continuous state of transition dictated by political, economic and social changes, unless state control is reduced or replaced in favor of academic freedom and universities autonomy. The prospective conclusion of the paper may serve as a helpful guideline for decision makers, academic staff and students, to promote and strength the meaning of academic freedom and universities autonomy.*

### **Definitions**

The meaning of “academic freedom” has been a topic for debate among a number of academicians and researchers worldwide. However academic freedom is an integral component of the culture of universities around the world but what is university?

#### **What is University?**

An important idea in the definition of a university is the notion of academic\_freedom. The Magna Charta Universitatum 1988 states: The University is an academic institution at the heart of societies differently organized because of geography and historical heritage; it produces, examines, appraises and hands down culture by research and teaching. To meet the needs of the world around it, its research and teaching must be morally and intellectually independent of all political authority and economic power (Magna Charta Universitatum, 1988). This definition of university let us to say “A university is not an ivory tower isolated from the interests and influence of the society, state and public agencies. The relationship between these three elements and the university should maintain the freedom of teaching, training and research.

#### **Academic Freedom**

Academic freedom is here defined as the liberty and obligation to study, to investigate, to present and interpret, and to discuss facts and ideas concerning man, human society, and the physical and biological world in all branches and fields of learning. As citizens, students and teachers have the rights accorded to all citizens. Outside the academic scene the teacher has no less freedom than other citizens. His greater knowledge imposes upon him the twofold duty of advancing new and useful ideas and of helping to bury ideas which are useless. However, since the public may judge his profession and his institution by his utterances, he should make every effort to maintain high professional excellence. When he speaks or writes as an individual he should be free from both institutional and state control. As a member of an academic member and particularly as a teacher, the faculty member is free to present in the field of his professional competence his own opinions or convictions. It is his duty, on the other hand, not to advocate any opinions or convictions derived from a source other than his own free and unbiased search of truth and understanding. Commitments of any kind which interfere with such search are incompatible with the objectives of academic freedom. Most people would probably subscribe to academic freedom and university autonomy as ideals. But in the same talk propose specifications that would lead to

limitations to both these ideals. And the two ideals can in practice not be absolute. Academic freedom may be defined as the freedom to conduct research, teach, speak, and publish.

Academic freedom should be subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead (Global colloquium of university presidents, 2005).

The Dar es Salam Declaration on Academic Freedom and Social Responsibility of Academics (1990) defines 'academic freedom' 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'. Indeed, the broad definition of academic freedom in practice focuses on the right of academics to be free from external constraints in teaching and research and to freely criticize their institutions (Andreescu, 2009). Academic freedom has been linked with a range of academic policies, including university autonomy, departmental self-administration and tenure. Academic and intellectual freedoms have in fact been threatened for the same reasons as human rights, and often in the same places and by the same authorities and institutions (Heisler, 2007).

Academic freedom has been justified by claims that it is necessary for the pursuit of truth for the general benefit of society, including immediate advantages derived from scientific discovery, technological innovation and creative work (De George, 1997). Academic freedom is also considered as essential in protecting societies against authoritarian acts and abuses by preserving universities as institutional sanctuaries of free thinking (Gutmann, 1999). Yet another argument in favor of academic freedom regards the latter as central to the mission of universities to promote individual autonomy (Andreescu, 2009). In many instances however, academic freedom has been employed as an excuse for abusive behavior and irresponsible acts on the part of some academics, including non-fulfillment of contractual obligations and responsibilities (Olson, 2009). While academic freedom is specifically intended to foster the free exchange of ideas within a community of scholars, it also requires a sense of responsibility and respect for ethics.

### ***The History of Academic Freedom***

A brief overview of the history of the concept of academic freedom is a necessary for the purpose of analysis. Academic freedom encompasses a professor's freedom to teach, freedom to research, and freedom to publish opinions on issues of public concern. Academic freedom is rooted in different nations' traditions. European traditions recognize that institutions of higher education conducted research for the common good which depend upon the free search for truth and free clarification. Prior to the late 19<sup>th</sup> century, Americans did not consider institutions of higher education as centers of research and scholarship. Rather, the role of these institutions of higher education was to pass received wisdom on to the next generation.

In the late nineteenth century, the German notion of academic freedom consisted generally of the following three concepts: *Lehrfreiheit*, *Lernfreiheit*, and *Freiheit der Wissenschaft*. "*Lehrfreiheit*, or freedom to teach, embodied the notion that professors should be free to conduct research and to publish findings without fear or reproof from the church or state. *Lehrfreiheit* also included the authority of the individual professor to determine the content of courses and lectures. *Lernfreiheit* encompassed the right of students to determine the course of their studies for themselves." Finally, *Freiheit der Wissenschaft* conceptualized the notion of academic self-government - the university's right, under the direction of its senior professors organized into separate faculties and a common senate, to control its internal affairs. The American tradition of academic freedom evolved from this German theory." Between 1870 and 1900, many American college graduates migrated to German universities for advanced instruction and returned persuaded that the Germans' concept of academic freedom should be mirrored in the United States (Smith 2002).

Some scholars of higher education studies look at academic freedom and university autonomy as ancient concepts. For example Ndiaye (Ndiaye 1996) argues that these concepts originated in Europe and were later spread to the whole world. Others like Rajaonson (Rajaonson 2002) looks to the south and Islamic world where cities like Damascus, Baghdad and Cairo witnessed the establishment of learning centers, in the 9<sup>th</sup> century, that could be described as universities. Other cities like Cordoba, Fes, Kairouan, Isphahan, Samarkand, and Timbuktoo also represented centers where institutions of higher education learning were established. While in the Islamic world of the 9<sup>th</sup> century the mosque represented a center of a higher learning, in Christianity, universities

during the 12<sup>th</sup> and 13<sup>th</sup> centuries came under the authority the Pope and enjoyed liberties that protected them from the tyranny of kings.

Yet the European history tells a lot about intellectuals who were either tortured or killed because their ideas were considered threatening ( Verbitskaya 1996). The nature of academic freedom in the Islamic world of the 9<sup>th</sup> and 10<sup>th</sup> centuries took the form of research and publication and discoveries. Hence, bookshops began to crop up all over Muslim lands by the 9th and 10th Centuries. The proliferation of books also meant that libraries became widespread. The 'House of Wisdom' was established in Baghdad in the 9th century, staffed by both Christian and Muslim scholars. The famous 9th century physician al-Razi was the first to describe smallpox, and how to distinguish it from measles. He also classified substances into mineral, vegetable and animal and was probably the first to make sulphuric acid. Colleges and universities became widespread in the Muslim world. Al-Azhar, established over a thousand years ago in Cairo, is one of the first such institutions. The 10th century surgeon al-Zahrawi was the first to develop sophisticated surgical tools for operations. He also made plaster to help broken bones heal. Al-Zahrawi developed pioneering operative techniques, including the caesarean section (Muslims). In contrast, the period of the Abbasid and Umayyad Caliphates like European period witnessed the execution of many scholars whose ideas were considered threatening to the political power ( Verbitskaya 1996). In brief academic freedom and university autonomy are influenced by the political changes and state control over different times.

### ***Academic freedom in the Post-Colonial State of Africa***

On the African continent, prior to the recent wave of privatization, most African universities were founded, financed and controlled by the postcolonial state (Zezeza, 2003). The struggle for academic freedom resembles a struggle for 'citizenship' where members of the academic community, either individually or collectively, are engaged in a struggle for rights and democracy within the academy as well as in the broad politics within which the academy is located (Sall, 2000). In fact, the struggle is often of the academic community for freedom and for the autonomy of academic institutions. Such struggles are often part of the broader struggles for human rights, freedom and democracy in African contexts especially where military rule and authoritarian regimes led to direct state repression.

Academic freedom is a necessary condition for knowledge production. In the African context, Mama (Mama, n.d.) notes that the lack of adequate public funding constitutes the major obstacle for higher education development, which becomes an indirect obstacle to academic freedom. Structural adjustment policies limited state spending on social services, including education, thereby limiting funding available to universities. Moreover, the demands of academic professions have proliferated to the extent of becoming incompatible with time for research and training which is essential to high quality intellectual production. Hence, according to Mama (Mama,n.d.), within universities, the professional role of academics has gradually become more diverse to include other functions such as administration, often in the name of efficiency. The lack of funding and development of new technologies have fuelled the assumption that support staff can be reduced, in the name of efficiency as administrative duties are increasingly loaded on academic staff. Such additional demands reduce the time and energy available for teaching, research and knowledge production, subsequently weakening the academic freedom in the universities (Mama, n.d.).

### ***Reflecting on Sudan's Higher Education and Status of Academic Freedom***

The history of modern higher education in Sudan goes back to the era of British rule. The University of Khartoum, the mother of higher education in Sudan, was first established in 1902 as Gordon Memorial College (University of Khartoum 2010). Since then, Sudan has witnessed remarkable expansion of its higher academic institutions. Higher education in Sudan has witnessed huge changes in size and number during *Al-engaz* regime, which came to power in 1989 in a military coup and immediately announced a highly ambitious political, economic, and social agenda that aimed at transforming Sudanese society. *Al-engaz*'s regime conducted a series of national conferences in the early 1990s to address significant changes in Sudan's political institutions, economy, peace process, and higher education. A Conference on higher education was held in the capital city in 1990. The 1990 Higher Education Act that resulted from the conference deliberations mandated a reform to Sudan's higher education system. This reform was generally referred to as the higher education revolution, and was designed to Arabicize, Islamize, and expands Sudanese higher education in exceptional ways.

Instead of opting for gradual implementation, the Arabicization of curriculum was a political decision executed in a hurried manner. The academic staff were not consulted about this decision ( News from Africa Watch, 1992)

The government took a decision to make Arabic the official language of instruction in all social, human, and some natural sciences. This change was enforced in the academic year 1990-1991. It has been argued that this process of “Arabization” was introduced without adequate materials available in Arabic, both in terms of textbooks and references. Many of the teaching staff lacked the training for teaching in Arabic. The higher education revolution also aimed at the Islamization of curriculum in a way that would reflect the country’s core policies of promoting Islamic values and norms (Al-Attas 1995).

The Islamization of knowledge was intended to connect Muslim scholars with both their Islamic heritage and advanced Western scientific knowledge. Sudan had only a fraction of the financial and academic resources allocated for this project, making the success of such a process in Sudan almost difficult. The higher education revolution also wished for expanding the higher education in Sudan to meet the needs of the country’s economic development and to keep up with a growing population. There were five public universities in addition to some public colleges in the country in 1989, and approximately 5,000 enrolled students in the academic year 1989-1990. Four of these public universities were in the north: University of Khartoum, University of Juba, Islamic University of Omdurman, Cairo University in Khartoum, and Gezira University. However, As a result of the violence in southern Sudan, there was only one public university, Juba University, which had to operate in Khartoum for several years in the 1990s due to security concerns and relocated to the republic South Sudan just before few two years ago. In reverse anew university is strongly establish in the place of Juba University Campus in Khartoum the new university is named University of Bahri. The establishment of Bahri University reflects the will of the state to absorb the Northern academic staff, students, employees and workers in the new establish university. The time is still earlier to evaluate the Bahri University in terms of academic freedom and autonomy or in terms of academic accreditation and excellence or managerialism performance.

It is fair to argue that there was an urgent need to expand Sudan’s higher education due to the huge cost associated with sending students abroad, for a developing country like Sudan, and to the growing population. By 2006, there are more than 300,000 students enrolling in Sudan’s public universities and colleges as a direct result of the horizontal expansions of public universities under higher education revolution. However, higher education expansions in Sudan tended to take place during military regimes, more particularly under Numeiri’s and Al-Bashir’s regimes. Both regimes were at odds in terms of their ideological orientations. Numeiri’s was backed by the communist party until the early 1970s. Numeiri’s regime expanded higher education in 1975 by establishing two public universities outside the capital city for the first time, the University of Juba and Gezira University, two years after signing a historic peace agreement with the southern rebels that lasted for a decade. Compared to Al-Bahsir’s expansion of higher education, was horizontal in nature.

Critics of the higher education revolution argue that horizontal expansion occurred at the expense of elementary and secondary education (El-Hassan 1992).

Most newly established colleges and universities outside the capital city were actually opened in buildings that were formerly high schools. The change in elementary education from 12 to 11 years (from 6+3+3 to 8+3) gave the government an opportunity to facilitate its policies by transforming many high schools into public universities. However, with the discovery and production of oil in the mid-1990s and the signing of the Comprehensive Peace Agreement (CPA) in 2005 ending the civil war in southern Sudan, the government was able to initiate limited expansion of the infrastructure at many newly established universities and colleges. Unlike their predecessors from the 1960s to the late 1980s, most of the higher education instructors were educated in non-western countries. The Immigration of many professors and instructors abroad in search for better economic condition is considered another grave mistake from higher education financial policies towards academic staff. As natural result, the country and top public universities witnessed the largest “brain drain” since Sudan gained independence ( MOHESR 2010).

The total number of faculty in Sudan’s public higher education institutions was 9299 for the academic year 2004-2005, including all academic ranks from teaching assistant to full professor (MOHESR 2010). Nearly 26 percent of the total number of faculty is comprised of teaching assistants, and about 40 percent are lecturers, both groups who generally hold only master’s degrees. This means that almost two-thirds of the faculty in these institutions did not hold doctoral degrees. There were only six universities with more than 20 full professors and there were

11 universities with fewer than ten full professors. To conclude, the higher education revolution will continue to shape Sudan's higher education for many years to come.

The tens of thousands of college students graduated under this revolution will affect in both negative and positive ways the landscape of Sudan's public and private sectors. In brief state control over universities became more wider under *Ingaz* government; a ministry of Higher Education and Scientific Research was established in 1989 and a higher education Act came to force, to which all statutes of public universities rendered subordinate to it, as well as being uniform in organizational structure and other contents. Furthermore, admission got increased in disregard to poor academic standards and the universities on the other hand, expanded horizontally.

The most painful issue nowadays is the phenomenon of student violence inside universities. Some people attribute it to widespread armed conflicts in the country on students. Others attribute it to the following reason:

- (1) Poor university environment.
- (2) Favoring certain groups by university administration.
- (3) Poor academic performance of some academic staff.
- (4) Slow response to students claims.
- (5) Unexpected change of academic regulation and its unreasonable implementation.
- (6) Political incursion into university campus. Both the ruling and opposition parties compete to recruit students into their ranks. As result university students have become highly polarized and politicized and most of their activities are organized on political grounds and on the expense of academic activities (Deng 2007).

Reforms should include improvements in the overall academic infrastructure and student development and academic life. Two decades since its inception, the accomplishment of the objectives of higher education revolution in Sudan; the expansion of public universities and the Arabicization and Islamization of curriculum, and economic development is still far from complete.

### ***Education and Politics in Sudan***

In democratic societies, the overall political and economic dynamics are directed toward social welfare. Therefore, education is designed in a way that to preserve the continuity the effectiveness and efficiency of political system. On the contrast, in totalitarian political systems, political culture is constructed toward creating a "homogenous" society. As a result almost all social institutions, and especially formal education, are highly controlled from the centre. The traditional role played by educational institutions in totalitarian culture is a powerful socializing force transmitting the values, beliefs, attitudes and behaviours of the dominant groups (Brown, 1999).

In this context, the Jamaican Prime Minister Michael Manley said:

"even in a multi-party situation, the central truth remains that education is a political agent because it must, in its very nature, either tend to preserve the status quo or promote change, depending on how it is organized, who organizes it and the purpose to which it is put (Manley 1974)."

In Sudan and before Nimeiri's regime, universities were allowed to operate 'freely' and their autonomy was observed. Political interference was minimum, and normally hidden, and freedoms were allowed to flourish. The appointment and dismissal of staff, appointment to heads and deans, and other decisions were left to the University and its senate and political affiliation was not an overt factor in recruitment. After the May 1969 coup, an attempt was made to engineer a social change in the country and the higher education was not allowed to continue the old ways. Political interference became evident, political compliance was expected, political tensions spilled into university campuses, and staff dismissals for political reasons started with both campuses (the left and the right). The direct appointments to high positions by the then military ruler -in his capacity as the guardian and the chairman of the university council- became the norm. Despite all this, two things remained good: the

regulations for the appointment of new staff members and the recruitment of students. No clear evidence exists of active appointment of loyalists to academic posts and no student was dismissed for his/her political beliefs.

The normally strict regulations which limited the number of years students could study for a degree were normally relaxed in cases of political detention. After the 1977 reconciliation between political opposition and Nimeiri's regime, the attempts were started in early 80s to introduce new charter that would make necessary changes in the universities. The most significant of the proposed changes were the powers to be given to the chairman of the university council in the fields of appointment and pensioning of staff members as well as academic freedoms. The universal opposition to the charter and the 1985 uprising in Sudan were sufficient to reverse the process.

After the downfall of Nimeiri a new charter was prepared in consultation with concerned parties and it was passed in 1986. Academic freedoms were restored and all high positions were filled by elections

Unfortunately, the economic situation in the country and budgetary constraints were effective in starving higher education institutions and restricted the exercise of the newly restored freedoms (Zaki).

In June 1989 General Omer H. A. Albashier took over the power in a coup and immediately a new regime of Alengaz started with a new phase of rule different from the previous civil government in terms of orientation and ideology. The changes enforced by the current regime are intense ones especially in the structures of the institutions of higher education the thing that influence the academic freedom and university autonomy.

### **Conclusion**

In the course of this paper, the study has attempted to probe into the most complex, problematic and fundamentally important issue of academic freedom and state control on Sudanese universities. The paper has revealed many issues relating to interaction of politics with education in Sudan as well as in Africa and the world wide. Historically higher education in Sudan has ever been under the central government influence. Despite the enjoying of margin degree of academic freedom and autonomy before 1972 Act that constituted the council for Higher Education under the headship of the central minister of Education and Instruction, since then the state interference into education has been obvious. Clearly, the state control on universities represented at that time in planning, financing, appointment of senior university staff (Vice-Chancellors) and coordinating of all institutions of higher education. In many situation, the central truth remains that education is a political agent because it must, in its very nature, either tend to preserve the status quo or promote change, depending on how it is organized, who organizes it and the purpose to which it is put. University governance is another matter that reflects state intervention in higher education institutions.

At the top of higher education hierarchy, the President of the Republic is the chancellor or patron who is ultimate arbiter of all matters of importance to higher education. He constitutes the National Council for Higher Education and Scientific Research (NCHE SR), appoints chairpersons and members of university councils, vice-chancellors and their deputies. Downward the ladder, there is the minister of higher education who supervises over the ministry, the follows is the (NCHER) which formulates plans for higher education. Appointment of senior positions of institution of higher education bears to great extent the prints of ruling regime. Arabicization of higher education, expansion in students' intake and unification of university statutes best fit the ideological trend of the regime. The direct political intrusion into universities campuses is the responsibility of both the ruling regime and political opposition who raced to recruit students to their groups. Subsequently, students made the university campuses squares for political activities. Hence, students' violence widely spread in public universities. While bringing to an end to this topic I see it is necessary to highlight some points that may serve as a helpful guideline for decision makers, academic staff and students, to promote and strength the meaning of academic freedom and universities autonomy.

**First**, academic staff ought to enjoy freedom of thought, research, teaching, job and security while the appointment of administrative positions should be based on merit, qualification and fair mechanisms.

**Second**, students polarization from both ruling and opposition parties should be stopped.

**Third**, the highly state intervention into higher education institutions via (patronage system) should be organized to become coordinating council for institutions of higher education.

**Fourth**, adequate financing for the higher education institutions is essential part in the promotion of academic process which includes (teaching, research, training, ect...), by doing so academic freedom and university autonomy will steadily become better and in favor of the knowledge society of Sudan.

## References

- Al-Attas, Syed Muhammad Naquib.1995. Prolegomena to the Metaphysics of Islam: An Exposition of the Fundamental Elements of the Worldview of Islam.  
Kuala Lumpur: International Institute of Islamic Thought and Civilization (ISTAC).
- Andrescu, L. (2009) 'Individual Academic Freedom and Aprofessional Acts', *Educational Theory* 59(5): 559-578.
- American Civil Liberties Union 1953, Academic Freedom and Academic Responsibility, New York, Pp 1-6.
- Brown, Susan (1999), Education and Peace Building: A Preliminary Operational Framework, A available at [www.reliefweb.int/rw/lib/nsf/db900SIDIJDAB-5P3GSK?Open Document](http://www.reliefweb.int/rw/lib/nsf/db900SIDIJDAB-5P3GSK?Open Document).
- Chol, Bol Deng 2007 State Control on University: The Case of Juba University, A paper presented at Academic Freedom and University Autonomy in Post-Conflict Sudan Khartoum, Sudan: Ossrea.
- De George, R.T. (1997) Academic Freedom and Tenure: Ethical Issues. Lanham, Maryland: Rowman and Littlefield.
- El-Hassan, Zaki. 1992. Instability of Higher Education in the Sudan: The Effect of Al-Bashir's High Education Policies. Reports: Education in Sudan. Available online at: <http://www.sudanupdate.org>.
- Andrescu, L. (2009) 'Individual Academic Freedom and Aprofessional Acts', *Educational Theory* 59(5): 559-578.
- Gutmann, A. (1999) Democratic Education. 2<sup>nd</sup> Edn. Princeton, New Jersey: Princeton University Press.
- Magna Charta Universitatum. Declaration by 300 university rectors in Bologna 18 September 1988.
- M. Manley, 1974 'Politics, Society and the Total School', Report of the Sixth Commonwealth Education Conference, Jamaica.
- Muslims Contributions, Available at [http://www.isb.org.uk/schools/pages/mc\\_nine.php](http://www.isb.org.uk/schools/pages/mc_nine.php)
- Mama, A. (not date) 'Towards Academic Freedom for Africa in the 21<sup>st</sup> Century'  
Available at [http://portal.unesco.org/.../11331858845Academic\\_Freedom.../Academic+Freedom+CODESRIA+PAPE+R+5+DEC+2003.pdf](http://portal.unesco.org/.../11331858845Academic_Freedom.../Academic+Freedom+CODESRIA+PAPE+R+5+DEC+2003.pdf).
- News from Africa Watch. 1992. Sudan: Violations of Academic Freedom. Vol. 4, Issue No. 12. New York: News from Africa Watch, Human Rights Watch.
- Olson, G.A. (2009) 'The Limits of Academic Freedom', *Chronicle of Higher Education* 56(16): 31-32.
- Sall, E. (2000) 'Introduction: Engendering Academic Freedom in Africa' in E. Sall (ed) *Women in Academia: Gender and Academic Freedom in Africa*. Dakar: CODESRIA.
- Smith, Stacy E., 2002, Who Owns Academic Freedom?: The Standard for Academic Free Speech at Public Universities, *Washington and Lee Law Review*, Volume 59 | Issue 1, Article 9.
- Statement from Global colloquium of university presidents 2005.
- The Dar es Salam Declaration on Academic Freedom and Social Responsibility of Academics. (1990). <http://www1.umn.edu/humanrts/africa/DARDOK.htm>.
- University of Khartoum, 2010, Historical Background. Khartoum: University of Khartoum. Available online at: <http://www.uofk.edu/en>.
- Verbitsakaya, L. 1996, Academic Freedom and University Autonomy: A Variety of Concepts, *Higher Education Policy*, Pp 289-294.
- Zezeza, P.T. (2003) 'Academic Freedom in the Neo-Liberal Order: Governments, Globalization, Governance and Gender', *JHEA/RESA* 1(1): 149-194.