



Zambia National Educational Coalition (ZANEC)

STATE OF ACADEMIC FREEDOM IN PUBLIC UNIVERSITIES IN ZAMBIA

2014

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1.0 INTRODUCTION

This document reports the findings of a survey on the state of academic freedom in public higher institutions of learning in Zambia. Data were collected from the University of Zambia (UNZA), Copperbelt University (CBU) and Mulungushi University (MU) as well as Evelyn Hone College of Applied Arts and Commerce (EHCAAC), Chainama College of Health Sciences (CCHS), Natural Resources Development College (NRDC) and National Institute for Public Administration (NIPA). The report is presented in five sections. The first section introduces the study while the second contains brief background to the assignment as well as information regarding the legal existence of each of the three universities. This piece of detail was considered necessary because to a large extent the challenges being experienced by the three universities relate to their historical genesis. The third section presents the conceptual framework of the study with particular focus on the definition of academic freedom as reflected in the literature consulted. The fourth section provides information on the methodological framework applied in collecting and analyzing the data for the study. Finally, section five contains the findings of the study, packaged according to the objectives as outlined in the terms of reference, the conclusions and the recommendations.

2.0 BACKGROUND

2.1 Motivation for the study

One of the ways used by the Zambia National Education Coalition to ensure that duty bearers reinforce their commitments towards the implementation of the Education for All goals is to spearhead the active participation of various stakeholders in policy engagement in the education sector. Among others, the Coalition strongly believes that student unions can play a major role in contributing their voice towards the education for all agenda. However, in order for student unions to contribute effectively towards the education discourse, there should be clear regulations and statutes that guarantee their academic freedoms. It is in view of this that ZANEC, with support from the Norwegian Students and Academics International Assistance Fund (SAIH), initiated the present study on the state of academic freedoms in Zambia. The specific objectives of the study were:

1. To document the current status of academic freedoms in Zambia and their contributions towards the promotion of education for all in Zambia;
2. To outline the common challenges facing students in institutions of higher learning pertaining to the enjoyment of their academic freedoms in Zambia; and
3. To make practical recommendations on what needs to be done to improve academic freedoms in higher institutions of learning in Zambia

2.2 Historical Background on the Universities

2.2.1 University of Zambia

The University of Zambia (UNZA) is the oldest of the three universities, having opened its doors for the first time on 17th March 1966 at Ridgeway Campus. Subsequently, on 12th July 1966, Dr. Kenneth Kaunda, first President of the Republic of Zambia, was installed as Chancellor and, the following day, laid the foundation stone for commencement of the construction of the initial structures of the current University of Zambia on the Great East Road Campus. In 1975, a decision was made to construct two more campuses: one at Ndola in the Copperbelt Province and the other at Solwezi in the North-Western Province in order to decongest the Lusaka campus. In July 1978 the University Zambia at Ndola opened at the Riverside Campus of the Zambia Institute of Technology in Kitwe, where teaching and residential facilities were readily available. In 1987 the University Zambia at Ndola became the Copperbelt University. Since then, the Copperbelt University has been running independently, as a public university, from the University of Zambia. Following the advent

of the Third Republic in November 1991, Parliament passed the University Act No. 26 of 1992 which introduced important changes in the governance of the Universities including provision for a titular chancellor, appointed by the President from amongst distinguished persons nominated by the Minister of Education. Previously the President had been the Chancellor of the two universities.

2.2.2 Copperbelt University

The Copperbelt University (CBU) was established as a Public University by an Act of Parliament No. 19 of 1987 on 1st December 1987. Before then, it was one of the three constituent institutions of the then University of Zambia Federal system which comprised the University of Zambia at Lusaka, the University of Zambia at Ndola and the University at Solwezi. In 1987 the Government reconstituted the University of Zambia at Ndola into the Copperbelt University while the University of Zambia at Lusaka became the University of Zambia. The intended University of Zambia at Solwezi never came into being.

2.2.3 Mulungushi University

Mulungushi University (MU), is the third and newest of the public universities in Zambia. It was established on 1st January 2008, and is a multi-level curriculum university offering a wide range of degree, diploma and certificate programmes in its nine (9) academic faculties. It comprises two (2) campuses; the Great North Road Campus located 26 kilometers North of Kabwe, on the banks of Mulungushi River and the Kabwe Town Campus located along Mubanga Road, off Munkoyo Street in the heart of Kabwe town. Unlike at the other two public universities, where government provides most of the funding and awards student grants, students at the new university pay for most of their learning.

3.0

CONCEPTUAL FRAMEWORK

For the purpose of this study the concept of academic freedom adopted was derived from the definition provided by the **American Association of University Professors (AAUP)** and the **Association of American Colleges (AAC)** in the 1940 *Statement of Principles on Academic Freedom and Tenure* as quoted by Kent M. Keith in a paper entitled *Academic Freedom: New, Narrow, and Fragile*, definitions by **Charter on Academic Freedom** by University and College Union (UCU) Scotland, **Dictionary.com**, **Wikipedia Free Encyclopedia** and The UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel (1997). As the study was not intended to be a technical treatise on academic freedom, it was felt that these definitions were sufficient to provide a basis for the conceptual framework.

As stated by Keith in the article referred to earlier, the **American Association of University Professors (AAUP)** and the **Association of American Colleges** identify three elements as constituting the concept of academic freedom. These three are: “(1) freedom to conduct research and publish the results; (2) freedom in the classroom to teach one’s subject; and (3) freedom to speak and write as other citizens do (AAUP, 1940/1990).” The three aspects of the definition relate directly to university and college academic members of staff in the execution of their responsibilities of conducting research and disseminating results as well as teaching. It does not make explicit provision for students.

Another definition which was considered relevant for the study is that provided by the University and College Union (UCU) Scotland which states that “Academic freedom is the legal right originally established by the 1988 Education Reform Act for staff in the UK ‘to question and test received wisdom and to put forward new ideas and controversial or

unpopular opinions without placing themselves in jeopardy of losing their jobs or the privileges they may have,'” from **Charter on Academic Freedom** www.ucu.org.uk/index.cfm?articleid=3672. As observed, the definition by UCU explicitly mentions the aspect of *legal right* which was considered a particularly relevant dimension for the purpose of the current study.

According to **Dictionary.com** accessed on 11th November, 2014, academic freedom is “the freedom of teachers and students to teach, study, and pursue knowledge and research without unreasonable interference or restriction from law, institutional regulations, or public pressure. Its basic elements include the freedom of teachers to inquire into any subject that evokes their intellectual concern; to present their findings to their students, colleagues, and others; to publish their data and conclusions without control or censorship; and to teach in the manner they consider professionally appropriate. For students, the basic elements include the freedom to study subjects that concern them and to form conclusions for themselves and express their opinions.” What is particularly significant about this definition in relation to the present study is that it incorporates the student or learner dimension which other definitions have left out.

According to **Wikipedia free encyclopaedia**, accessed on 11th November, 2014, “academic freedom is the belief that the freedom of inquiry by faculty members is essential to the mission of the academy as well as the principles of [academia](#), and that scholars should have freedom to teach or communicate ideas or facts (including those that are inconvenient to external political groups or to authorities) without being targeted for repression, job loss, or imprisonment.” This definition incorporates two dimensions: the fact that academic freedom is indispensable to the attainment of the mission of universities or ‘academy’ as well as the fact that the ideas or facts to be taught and communicated could include ‘those that are inconvenient to external political groups or to authorities’.

Finally, the UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel (1997:25-32) states: “... the right to education, teaching and research can only be fully enjoyed in an atmosphere of academic freedom and autonomy for institutions of higher education and that the open communication of findings, hypotheses and opinions lies at the very heart of higher education and provides the strongest guarantee of the accuracy and objectivity of scholarship and research...”

From the definitions and the UN recommendation provided above, the consolidated conceptual framework adopted for the study was that of academic freedom being *legally binding provision for academic staff and students to research into and disseminate information on any subject of relevance to their mandate through any channel deemed appropriate for the purpose of sharing, enhancing understanding and evidence-based decision making without internal or external regulation.*

The conceptual framework is based on the premise that “academic freedom is central to the character and contributions of the modern college and university.... It protects the essential mission of higher education—the discovery and dissemination of truth. Faculty protected in their research, teaching, and public speaking can contribute new knowledge and insights that benefit all of society” as stated by Kent M. Keith in a paper entitled *Academic Freedom: New, Narrow, and Fragile.*

4.0 METHODOLOGICAL FRAMEWORK

4.1 Technical Approach

Considering that the Objective of the Assignment was “to conduct a study on the situation analysis of academic freedoms in Zambia”, the technical approach applied was guided by the descriptive survey design. A descriptive survey is a method of collecting information by interviewing or administering a questionnaire to a sample of individuals. Specifically, the study employed phenomenology which involves collecting, describing and examining participants’ individual lived experiences in relation to a particular phenomenon, in this case, academic freedom. As stated by Patricia J. Connell (2003:35) in her PhD Thesis entitled *A Phenomenological Study of the Lived Experiences of Adult Caregiving Daughters and Their Elderly Mothers* “the core of the phenomenological methodology is to fully enter into the experience of another. It requires being intuitively present and aware of the inner meaning for the other. In this way, one can arrive at the structure behind the content. Because of its reflective and descriptive approach, it is sometimes referred to as descriptive phenomenology.” Descriptive phenomenology was considered most appropriate in understanding the construction of academic freedom in the lived experiences of university students, lecturers, administrators and other stakeholders. This approach was adopted because the assignment at hand required the researcher to describe the phenomenon under investigation as obtained and observed in the natural setting and as experienced by students, lecturers and other stakeholders in the research sites.

4.2 Data Collection

According to the terms of reference, the assignment required the Consultant to *collect, analyse, verify, compile and edit* relevant information in line with the objectives and scope of the task. The required data were collected from seven higher institutions of learning in Zambia: University of Zambia, Copperbelt University and Mulungushi University as well as Evelyn Hone College of Applied Arts and Commerce, Natural Resources Development College, Chainama College of Health Sciences and Lusaka Business College. Data were collected through document analysis, in order to have an understanding of what constitutes academic freedom and how it is provided for in the various documents which facilitate the pursuit of academic activities, as well as through in-depth interviews with the participants as required under phenomenology.

4.3 Data Analysis

The data, which were collected through in-depth interviews, were analysed according to the general steps for analyzing phenomenological data as presented by LoBiondo and Hubec (1998) and quoted in Patricia J. Connell’s PhD Thesis entitled *A Phenomenological Study of the Lived Experiences of Adult Caregiving Daughters and Their Elderly Mother*, pp. 36-37. The steps outline the analysis as movement from the participant’s description to the researcher’s synthesis of the data. These steps are:

- (i) Thorough reading and sensitive presence with the transcription of the participant’s description;
- (ii) Identification of shifts in participant thought resulting in division of the transcript into thought segments;
- (iii) Specification of the significant phrases in each thought segment, using the words of the participant;
- (iv) Distillation of each significant phrase to express the central meaning of the segment in the words of the researcher;
- (v) Preliminary synthesis of central meanings of all thought segments for each participant with a focus on the essence of the phenomenon being studied; and

- (vi) Final synthesis of the essences that have surfaced in all the participant's descriptions, resulting in an exhaustive description of the lived experience. (LoBiondo and Hubec (1998) p. 225).

On the basis of the steps outlined above, recurring themes in relation to each of the specific objectives were identified and any pieces of information which were peripheral to the terms of reference were discarded.

5.0 Findings

The findings have been presented in line with the objectives of the study as outlined in the background section of this report. In addition, as required for a qualitative study, verbatim excerpts of some of the participants' views have been presented for the reader to understand more fully the participants' lived experiences, in their own words, with academic freedom.

5.1 Status of Academic Freedom in Higher Institutions of Learning in Zambia

5.1.1 Universities

The status of academic freedom in any university has to be understood within the context of the role of the university in society which hinges on relevance in meeting the needs of society (Mwanalushi, 1990:20). As stated by Mwanalushi (ibid) "Indeed the University of Zambia was founded on the premise of relevance. This is stated in no uncertain terms in the motto of the University of Zambia which states that: "The concept of a University as an instrument of national development has become the central theme of the most recent thinking in virtually all universities in the developing world. The University of Zambia has been explicitly designed with this concept in view....The goals of the University of Zambia are, therefore, teaching, research and service relevant to the needs of Zambia....". The relevance dimension of the role of the University in society is reflected in the Mission statements of all the three universities involved in the present study.

For example, the Mission of the University of Zambia reads: *To Provide Relevant Education Through Teaching, Research and Community Service*, that of the Copperbelt University reads: *To contribute to the development and sustenance of the well-being of the people of Zambia and the world through the provision of flexible, innovative, entrepreneurial, inclusive programmes of teaching, learning, research and service*. The Mission of Mulungushi University reads: *To provide high quality academic programmes, research and consultancy services through stakeholder engagement*.

In view of the role of the University in society as stated and as reflected in the Mission Statements of the three Universities, the expectation is that academic freedom, as conceptualized under 3.0 above should serve as foundation for all their decisions and activities. As stated by one of the participants:

"Really I think it is important for everybody to understand why universities are there. The universities don't teach people how to do certain types of work. How to work is the responsibility of the institutions that get our graduates. Universities are there to generate knowledge, through proper research, which becomes the basis for decision making and they should be able to freely disseminate this information to students through teaching and seminars, to fellow academics through seminars and publications and to public officers through various fora so that they can use it for decision making."

The generation of knowledge referred to above is conducted by academic members of staff or faculty and their students. Consequently enjoyment of academic freedom by students is inalienably linked to the extent to which academic members of staff enjoy academic freedom to generate and transmit knowledge to students thereby initiating their students into generators and transmitters of knowledge. It is for this reason that academic freedom pertaining to academic members of staff constituted the springboard for the current study.

5.1.1.1 Construction of academic freedom by academic members of staff

Academic members of staff were asked on what they understood by academic freedom to which they gave a number of categories of responses. The first relates to freedom for universities to perform their mandated functions as follows:

“Academic freedom is the freedom to generate knowledge, the freedom to disseminate that knowledge, the ability to carry out one’s academic functions in an independent and impartial manner that is guided by truth because that is the truth that has come out of the research.”

As stated earlier this construction of academic freedom relates to universities being able to perform their designated functions in a free atmosphere. The second construction of academic freedom relates to autonomy and was captured as:

“Academic freedom in a university setting is when the university as a corporate entity enjoys full autonomy in terms of generating its own resources, introducing its own programmes, developing its own curriculum, setting and executing its own research agenda as well as teaching and providing community service without internal or external influence or interference.”

This construction of academic freedom relates to university autonomy or independence from external forces such as government, public sector and private sector which would enable the universities to set their own research and teaching agenda without influence from any of these external forces. This perspective entails that where there is lack of autonomy as indicated, a university cannot be said to have capacity to exercise academic freedom. In this regard, no public university in Zambia can claim to enjoy academic freedom. As stated by one participant:

“Full autonomy would entail universities being able to charge economic fees for the cost of education which would include monies to be expended on the various cost centres such as staffing, accommodation, teaching and learning materials and resources, research, publications and conferences. Currently, in each of the three universities the fees are regulated by the government, yet the same government does not sufficiently fund the universities and insists that universities should raise their own money for their operations. In my view, therefore, we cannot talk of academic freedom in such a scenario.”

Another construction of academic freedom by academic members of staff includes the concept of responsibility. One participant expressed it as follows:

“For me academic freedom entails that academic staff and students are free to research into and discuss, especially within the confines of the university, anything provided it does not insult or injure other people or groups of people”.

A further construction of academic freedom by academic staff incorporates students as stated by one of the participants.

“My understanding of academic freedom in an institution like ours is that students and staff, whether they are engaged in learning, teaching or conducting research, are free, not hindered and not queried in finding answers to issues they are curious about, whatever those issues are. So I want to think that academic freedom is that as a lecturer and researcher I can go and research on any topic which excites my intellect. As a student in the classroom I should be free to question without fear, without thinking the lecturer will say I have over-stepped my boundaries or this is taboo subject or I will be harassed by my colleagues. That is my understanding of academic freedom. It applies to both the lecturer and the student.”

For other respondents, academic freedom was said to exist...

“where academicians and students are able to freely participate in their academic lives without undue pressure from outside or from within in terms of what they can produce, in terms of what they can say, in terms of what they can do, that is what they can do as academicians in terms of research, teaching and publications which are not audited for some reasons that can prevent them from exercising objectivity in their work”.

Others constructed academic freedom from a contextual perspective saying...

“in a university setting, academic freedom, in my view, is said to exist where academic staff and students are able to freely and objectively research and disseminate, debate and discuss research findings on any issue affecting people in communities. The issue could be political, economic, social or scientific and the purpose of dissemination, debate and discussion would be to develop students into critical and objective analysts able to engage others and champion positive values of benefit to the common good.”

There is further conceptualisation of academic freedom which considers it as a multi-pronged exercise involving ability to undertake research on any subject within one’s area of expertise, ability to share research findings with peers, ability to share research findings with non-academic stakeholders such as those in industry, private sector and public sector as well as ability to develop programmes and courses and to deliver the same without interference from either within or outside the university. This multi-pronged dimension was aptly expressed by one participant who stated that:

“academic freedom comes in three parts. One, is to be able to exercise the freedom of speech, which is done through paper presentations of our research findings, without any prejudice. Number two it comes through sharing research findings with industry, private and public sector and advising on policy or innovation, without fear. The third one is ability to organize and apply a particular area of your specialization in such a way that it is beneficial to the university and to the world at large.”

The construction of academic freedom by academic members of staff is consonant with the conceptual framework presented in 3.0 above. This correlation seems to suggest that generally academic members of staff are sufficiently familiar with what the concept entails.

5.1.1.2 Construction of academic freedom by students’ Union leadership

Students’ unions representatives were asked to indicate what they understood by academic freedom and gave the following answers:

Academic freedom is the freedom to share academic information without fear of being victimized. Further, from a student’s point of view academic freedom also entails

being able to obtain an education from your lecturers, the university administration and fellow students in a conducive environment that allows you to obtain such an education. A conducive environment is the environment with sufficient study space, an environment which provides the stimuli that students need in order to obtain their education. It must be quiet when it needs to be quiet. There must be recreational facilities. A conducive environment includes an environment in which students are able to express themselves without fear of being victimized.

Another student participant stated that:

Academic freedom for us is the ability by both the lecturers and students to delve into areas that could be a bit slippery and a bit sensitive without having to be scared, without having to be afraid of loss of employment perhaps loss of student privileges and all those things. So academic freedom is the essence of education, it is the essence of why we have universities and colleges because these are the institutions that conduct research and so on and so forth. If they are limited in academic freedom, it becomes difficult really to achieve anything and to go forward as a country at large.

The students exemplified their construction of academic freedom by saying:

A practical example of academic freedom would be where a student writes an article on what the student deems to be failures of the government with the intention of educating the citizens on an alternative way in which government would have managed the country without fear that the government would come in and charge them with treason, victimise them, arrest them, withdraw their bursaries or end their academic life at such an institution.

The students identified tribalism as an example of a slippery issue to research on saying:

“We will give an example of one practical area because I think research is a very important issue in universities. Take for instance a student wants to investigate tribalism in higher learning institutions. It becomes difficult to investigate especially if you can see the tribal inclination of the leadership in management in the university. So if there was academic freedom in these institutions students would not have to be intimidated by the fact that there is institutional censorship and institutional discipline that could be meted on them if they delved into this sensitive area.”

The construction of academic freedom by student leaders was also in line with the conceptual framework with the inclusion of the presence of a conducive teaching and learning environment with adequate teaching and learning facilities, lecturers, recreation facilities and accommodation.

The students were also asked to indicate the extent to which their members understood the concept of academic freedom. In submission, the students stated that as student representatives they were aware of and could articulate the concept because they had spent some time researching around it and internalizing it to facilitate advocacy and lobbying since it was explicitly stated in their constitutions. However, the general membership might not fully understand and appreciate the concept because they had not been given the opportunity to research around it. They agreed that it was necessary to popularize the concept among students to facilitate its appropriation at individual level in order to enhance magnification in terms of practical application on the ground as well as in terms of lobbying and advocacy for its protection.

5.1.2 Colleges

5.1.2.1 Construction of academic freedom by academic members of staff

Academic staff in the three colleges visited indicated that unlike universities, the mandate for their colleges was solely to provide training to students in the various disciplines to enable them gain knowledge and skills required for employment in either the public or the private sector. They indicated that their mandate did not include research and community service which were reserved for universities. As one of the participants stated:

“Here we are expected to provide training in the different fields being offered in order to produce competent graduates who can operate in the field under public, private or self-employment. That is our mandate. We are not expected to conduct research resulting in the generation of new knowledge as is the case in the universities.”

The participants indicated that for them academic freedom related to their exercising autonomy in deciding what to teach and how to teach it without instruction from outside agents.

5.1.2.2 Construction of academic freedom by students’ Union leadership

The construction of academic freedom by college students’ leaders did not vary from that constructed by university student leaders. Like the former, the latter considered academic freedom as existing where students and lecturers are able to exchange any relevant pieces of information in relation to the various programmes of study without fear of repercussions from either management or external forces. They also added that the full exercise of academic freedom required the existence of a conducive environment in terms of sufficient accommodation, teaching and learning materials, teaching staff and other requisites.

5.1.3 Link between academic freedoms in Zambia and the promotion of education for all

The participants explained that the link between the exercise of academic freedoms in Zambia and the promotion of education for all is dependent on the capacity of public universities, through students and staff, to freely generate through applied research and innovative research, and freely disseminate relevant knowledge on issues relating to education for all. Such issues could involve the situation of the various out-of-school children. Among these are the hard-to-reach who, due to the severity of the disability condition, cannot reach the school. Instead, the school has to reach them. This would entail the Ministry of Education working out means for reaching out to these children. Currently, such capacity is highly compromised by lack of internally generated funds to support research. Consequently, research being carried out in the universities is externally driven through calls for research proposals on areas or topics of interest more to the funder than to researchers in the universities and Government priorities.

5.1.4 Opportunities for the exercise of academic freedom

5.1.4.1 At University level

The study observed that opportunities for the exercise of academic freedom obtain to varied levels in the three public universities.

At both the University of Zambia and Copperbelt University, it was observed that there were sufficient institutional provisions for staff to exercise academic freedom through research, teaching, seminar presentations, publications and conferences. At the two universities a number of discipline-specific journals exist for staff to publish their research findings. At the University of Zambia, in addition to the discipline-specific journals, the University has

introduced three multi-disciplinary journals to facilitate publications by postgraduate students in order to enhance the visibility of research being carried out by postgraduate students thereby availing them the opportunity to exercise academic freedom through publications.

At the time of data collection Mulungushi University had not yet introduced journals whether discipline-specific or multi-disciplinary. In all the three universities members of staff were facilitated in terms of attending and making paper presentations at seminars and conferences both locally and abroad. Further, in all the three universities all lecturers are expected to disseminate research findings to students in the lectures in order to update student's knowledge on particular topics. In turn, students are expected to actively engage lecturers in the tutorials and lectures to share their findings from readings. In this way, the lecture becomes one avenue for the exercise of academic freedom by both lecturers and students.

5.1.4.2 At College level

The participants submitted that generally, opportunities for the exercise of academic freedom obtained at all the colleges. They pointed out that these opportunities were largely compromised by internal challenges such as inadequate teaching staff, inadequate learning and teaching materials as well as inadequate laboratories and other forms of equipment for teaching.

5.1.5 Practice of academic freedom by academic members of staff

5.1.5.1 At College level

The participants from the three colleges visited stated that they did not have any difficulties in exercising academic freedom as constructed within the mandate of their colleges. They explained that although the general mandate or framework for each college was decided by the government at the time of establishing a given college and was reflected in the name of such a college, lecturers determined the curriculum and undertook periodic reviews in response to the changing social, cultural, economic and other national and international demands. As one of the participants explained:

“Yes, we enjoy and we exercise academic freedom in that we determine what to teach and how to teach it. We do not have to consult anybody. Of course from time to time we might get suggestions, particularly from industry, on introduction of certain new programmes but the final decision is made by ourselves by taking into account the sustainability of such programmes, for example”

Academic staff interviewed indicated that opportunities existed for staff to exercise academic freedom in as far as determining the content of the curriculum as well as how to deliver the same. The members of staff indicated that the full exercise of academic freedom was compromised by a number of factors, particularly lack of financial support for the acquisition of teaching and learning materials, dilapidated laboratory infrastructure, inadequate classroom space and inadequate student exposure to industry during the training period.

5.1.5.2 At University level

While opportunities exist for staff to exercise academic freedom through generation and dissemination of knowledge, actual practice is compromised by a number of factors, the most notable of which are: lack of financial support for research activities, erosion of academic culture, intermittent withdrawal of labour and inadequate time to conduct research due to overwhelming teaching and administrative commitments. Due to these challenges, the three universities had significantly veered off their initial mandate of generating and disseminating knowledge and had become more of teaching institutions.

Among the factors which had contributed to the erosion of the academic culture was the high number of retirees, from either the civil service or the private sector, being employed in the universities. In their previous appointments they had been oriented into a system where elevation was based on performing to satisfy the immediate head of department, director or Managing Director. Such orientation does not fit in the university environment where elevation is attained by open competition with peers through research, teaching and community service. While these retirees have the required minimum qualifications to teach in the university, they have not internalized the culture of academia which demands the performance of the three roles of research, teaching and community service. As stated by one participant:

“Those joining us from industry, public or private sector have contributed to the erosion of academic culture on account of having been accustomed to a different work culture altogether. When you are brought from within the university first as staff development fellow the understanding of academic freedom was much more enhanced because you knew from the beginning that your job was to teach, to do research and to do some public service. In the university promotion is based on performance, simply performance, and not on patronage. You simply have to teach well, simply have to do research, and you simply have to help with certain community activities.”

It was reported that when, due to inadequate staffing, such retirees rise to positions of responsibility in the university, the tendency is to introduce in the university the same systems under which they were working in the public or private sector thereby totally stifling the flourishing of the academic culture of research, teaching and public service.

The solution to the diminished academic culture lies in inducting all new academic employees to this culture. As stated by one participant:

“I remember I think when I joined the university in the mid-80s I was inducted. The Dean tells you what your rights are and the dos and don'ts within the university and the expectations. Rarely does this happen these days. New people coming into the university these days are only given an office and start work. I think that is not the proper way of doing things. It is important that all new entrants be inducted so that they know what their rights are, what the dos are and what the don'ts are and then they can integrate better into the system.”

The need for induction and mentorship of new entrants was also highlighted by another participant who stressed that:

“Universities should have an effective system of mentoring, retraining and continuous professional development for all academic members of staff. In addition, junior academics should be attached to seniors for mentorship. The seniors also need continuous professional development. At the Copperbelt University there is a Centre for Academic Development run by a director. This is the unit which looks at quality assurance and enhancement of teaching and research in the university. It is very important because every teacher is a professional learner. A person learns even at the level of full professorship.”

It was submitted that in order to effectively exercise mentorship there is need to have a flourishing culture of scholarship and mentorship which most of the universities currently do not have. As one of the participants explained:

“I think my issue is: have we cultivated that culture, have we made it visible, is it there, if not why? I think, I don't think it is strong if it is there. And I think yes we need to rekindle it to have it so that people feel 'I am an academician and as an academician I live for this and I should do these things. I should be seen to have these values and this attitude.' But if there are not there, if people are not seeing them in anybody they cannot aspire for any of that. So maybe yes the senior academicians who have those values, attitudes and knowledge should first of all ensure that, that culture is strengthened and then bring on board the others that are coming in. What I have observed is that the culture of research, seminars, conferences and publishing has diminished. Survival appears to be the priority area of focus. In this regard, as long as I can get my salary at the end of the month and go home I am fine. Have I seen others do the same well I have seen my seniors also just running and doing consultancy and other businesses tuntembas in order to survive.”

The exercise of academic freedom requires the exercise of responsibility on the part of staff and students. Since teaching is one of the arenas for the exercise of academic freedom, and which is directly related to the enjoyment of the same by students, it is fair to say that the practice of academic freedom by members of staff is also compromised by withdrawal of labour through either absenteeism or industrial unrest. While it would be an affront to academic freedom to regulate the number of hours a lecturer should be at work, since part of the mandate involves research and community service which have to be performed outside the university, the expectation in the university world is that the teaching timetable constitutes a contract between the lecturer and the student and is not supposed to be violated. As stated by one of the participants:

Our timetable is inviolable. This is something which probably I will want people to understand including the students that regardless of what differences we have the time table in which we have to fulfill what is in an academic programme must be respected. So all these things like strikes, boycotts whatever shouldn't be in the university where, I think we should be generating ideas. We should fight more on what idea is better than to take physical action on certain things. So for me most of the problems that arise are a result of failure to understand what really this academic freedom is. It is not the freedom to riot, it is not freedom to withdraw labour or presence to learn.

Inadequate time to conduct research due to overwhelming teaching and administrative commitments is yet another constraint to the practice of academic freedom by members of staff. All the three universities reported inadequate staffing in relation to the numbers of students and programmes being run. Consequently lecturers expend all their energies on teaching at the expense of research which in fact should inform their teaching. Further, in addition to teaching, some of the lecturers also have administrative responsibilities serving as Deans or Directors, Assistant Deans or Assistant Directors and other responsibilities. It is the case, therefore, that heavy teaching and administrative responsibilities compromise the capacity of staff to practice academic freedom. As one participant stated:

I think when you look at the academician so much is expected of us, which deprives us of the freedom to do research work. For example, like here I am the Dean of School. I am expected to do administration, I am expected to go to class and teach, because here we are not Executive Deans, we are ordinary Deans and I am expected to do research. When I am being scored for promotion they won't look at my performance in the Dean roles but they will look at my roles as a lecturer and a researcher. But I don't have freedom to research and publish on account of lack of space since I have taken up this other extra responsibility of Dean.

Finally it was observed that, in all the three universities, the effective pursuit and practice of academic freedom had been hindered by lack of financial support for research activities. All the three universities are not sufficiently funded to be able to allocate some money exclusively for research. As a result, very limited research is being conducted in the universities, most of which is through either collaborative initiatives or in response to external funders' call for research proposals. In this regard, universities' research agendas are dictated by external forces rather than being generated by universities themselves on the basis of 'subjects that evoke their intellectual concerns'. As stated by one participant:

As long as public universities are poorly funded academic freedom is in danger, because the research agenda will be dictated by persons and agencies outside the university. As a lecturer, I need to research and publish in order to be promoted. If I don't have the money then I will have to bow to the dictates of the one who has the money which will enable me to research, publish and get promoted. But if I am well up, and have the resources even when I speak I will be objective because I know I can manage on my own.

Another participant stated:

Research is a spontaneous undertaking. Somebody comes up with an idea, you need to fulfill that idea in order to make progress in society and in the community. You cannot confine an academic to specific areas in which research should be conducted. I once came across a leaflet from National Science and Technology Council suggesting the areas in which they were willing to fund research activities. I feel they are not really doing justice to this country. The research agenda should be open-ended.

The research mandate of university education was stressed by other participants. One of them stated that:

"All universities are research universities because you cannot call yourself a university if you are not carrying out research and this is the problem we have in Zambia. We are teaching universities. Our students can as well go to NORTEC, can as well go to all those colleges and be taught. In the university students are supposed to be reading and discovering and we haven't got that in the students. We are supposed to be generating knowledge and from there we disseminate our research output into teaching and publications. At the moment there is lack of academic freedom in terms of running universities as centres of research. So until we are able to understand and put into practice the role of a university, we shall continue to lose out on academic freedom."

Another participant added:

"The current structure of our degree programmes is not internationally competitive in that we seem to have a degree which is not recognized anywhere in the world. It is an ordinary degree, what we call a stepping stone to a degree. We need to move to honours degree where every single person who completes a degree programme will be awarded an honours degree so that they can go directly into masters without having to spend another year doing pre-masters. This is why we must move to honours degree. Then we will be at par with other universities around the world and we can go into other postgraduate studies without hindrance."

It was further submitted that limited use of locally generated research and publications in form of books had the tendency to divorce the curriculum from practical reality in and application to the Zambian context. As one participant explained:

“I think the only limited aspect of a classroom set up is the syllabus. We have in our education system very little reference to local research. Our professors in Zambia I am sure have done some research on a number of issues except that most of the syllabuses we have in this country are centred on foreign materials. Consequently, most of the discussions and arguments in class are of limited scope because the western orientation. It might be more helpful if we are also able to apply to the local environment theories and approaches developed and applied by local professors and local doctors.”

It was also submitted that universities were in a highly advantaged position to exercise academic freedom in that they housed exceptional expertise in terms of academic and professional qualifications to effectively conduct advanced research, teaching and community service. As one of the participants explained:

“Universities have the unique expertise to carry out research. That constitutes both strength and opportunity which can be utilized because research is mainly done within universities by academicians. Secondly academicians have the opportunity to publish steadily and can also share their research findings at public fora and in the media. It is only mainly within the universities and academic institutions that those opportunities exist and where people are accepted when they just say I want to focus on research and people are welcome to do that.”

The submission from the participants seem to indicate that, while opportunities for the exercise of academic freedom exist in public higher institutions of learning in Zambia, the actual practice of academic freedom was undermined by a number of factors, both internal and external.

5.1.6 Practice of academic freedom by students

5.1.6.1 At University level

In all the three universities it was heard that students practiced academic freedom at such fora as lectures, class seminars, class tutorials, debates and public talks or symposia. One of the participants amplified this finding as follows:

“Every year we hold inter-schools debates where each school competes to be the best school in a debate based on any issue affecting the nation. We further have inter-hostel debates as well as male vs female debates. On Africa University Day we always have a big debate within the University. At all these fora, students get an opportunity to express themselves and exercise their academic freedom. Media houses as well as members of the public are always invited to the presentations although unfortunately journalists never show up.”

In addition, postgraduate students at the University of Zambia practice academic freedom through journal and public seminar presentations of their research findings, as confirmed by one of the participants in the following statement:

“As postgraduate students, the requirement that we present our research findings through article publication and seminar presentation avails us the opportunity not only to share our findings with the wider community but also to exercise our academic freedom and to get initiated into the world of scholars.”

In the lectures, seminars and tutorials students are expected to engage lecturers as well as each other and, based on researched evidence, critique or contribute positively to lecturers' and colleagues' presentations. The students' representatives indicated that they were given space to contribute in the lectures. As one of the participants put it:

"I have never experienced inhibition from contributing or speaking out my mind on any issue in class during my stay. I am in fourth year now. Students are free to discuss matters and delve into them even deeper, especially in social science courses which are more open ended. I have never experienced a situation where a lecturer tells you not to present an opposing view as long as you have your facts correct."

5.1.6.2 At College level

Student leaders indicated that they were accorded space in the lectures, tutorials, practical sessions and seminars to express their academic opinions without hindrance from lecturers and without fear of being monitored by external agents. They submitted that the full enjoyment of academic freedom was compromised by inadequate accommodation, inadequate bursaries, inadequate teaching and learning materials, inadequate teaching space, inadequate teaching staff and inadequate exposure to industry.

5.1.7 Facilitation of the Practice of academic freedom by institutions

5.1.7.1 At University level

All the three universities indicated that there were sufficient institutional structures to facilitate the exercise of academic freedom by both staff and students. The facilitation was in form of journals, open seminars, lectures, class seminars, class tutorials, debates and public talks or symposia. One of the participants explained as follows:

"For students periodically we organize debates on certain national issues and students will talk about these issues at school level and sometimes we organize between Nkhruma and Mulungushi, CBU and Mulungushi. They come here or we go out there. They talk about these issues in a University environment."

5.1.7.2 At College level

The students stated that the colleges facilitated the exercise of academic freedom by according them sufficient latitude to discuss academic issues including permission to invite experts from outside the colleges to share experiences with the students' body. Other platforms included lectures, seminars, student clubs or associations and student magazines.

5.2 Common Challenges Facing Students in Institutions of Higher Learning Pertaining to the Enjoyment of their Academic Freedoms

5.2.1 External challenges facing students and staff

While generally there is no explicit or overt or obvious suppression of academic freedom in public universities and colleges in Zambia, the full enjoyment of academic freedom by both students and academic staff is compromised by the institutions' lack of financial and, consequently, administrative autonomy.

It was submitted that the external economic environment impacted negatively on the exercise of academic freedom by universities and colleges specifically with regard to inadequate funding for research, teaching and community service which constitute the core dimensions of university mandate. Inadequate funding results in researchers having to fall back on external funders for research. The tendency by external funders to prescribe areas in which

research should be conducted through their funding compromises academic freedom as it makes it difficult for the university to set its own research agenda. As one participant stated...

“Externally funded research compromises academic freedom because it is tied to specific research areas of interest to the funder. You will be fortunate to find a funder who does not want to determine the outcome of the research, it might be tied to what they want to see out of your research even before the research has been carried out and some of our colleagues have fallen into that trap otherwise they might not be funded again. I think there we compromise academic freedom.”

Another participant observed that...

“lack of financial autonomy has turned the Vice-Chancellors of the three public universities into beggars as though the universities were not national institutions. As the Vice-chancellor goes to government to beg, he or she is told that his or her institution should be independent. However, when independent decisions are taken he or she is reminded that the institution belongs to the government. Such an environment obviously doesn't help in terms of making proper decisions.”

The implication of the submissions presented above is that because the universities and colleges are unable to generate their own income they have to depend on government income thereby implicitly, especially under multi-party politics, compromising their research agenda. It was submitted that before the advent of multi-partism the relationship between the university and the government was that the Vice-Chancellor had such a high position that he had direct access to the Head of State for most of the challenges the university faced. This is no longer the case as the position of Vice-Chancellor has been reduced in both power and reporting relationships: the Vice-Chancellor now reports to the Permanent Secretary in the Ministry of Education. It was felt that this development had made it difficult for the Vice-Chancellor to access the required level of decision-making to facilitate effective harnessing of financial resources to run public universities.

The study also found out that the external political environment, particularly following the dawn of multi-party politics, has impacted negatively on the pursuit of academic freedom by both staff and students. Cases had been cited where both academic members of staff and students had been reprimanded for commenting on national issues and labeled as promoting the agenda of the opposition even when the issues being raised were supported by research.

One of the cases related to staff and students' opposition to the removal of subsidies on fuel which, according to research findings, would trigger a rise in the prices of basic commodities resulting in further suffering by the poorest of the poor. It was reported that a gathering held at one of the universities to discuss the matter was disrupted by alleged ruling party functionaries.

Another case was when a doctoral research student reviewing literature on soya beans indicated that according to the literature he had read consumption of soya beans impacted negatively on human health. The student was reprimanded and forced to withdraw the statement, even though the statement had arisen from the literature review exercise.

Another instance of external political interference involved a directive by the government under the Movement for Multi-party Democracy regime to one of the universities to introduce a full Bachelors programme in a particular field which, in the academic opinion of the institution, was a subset of an already established and internationally recognized

programme. Due to undue pressure from the government the university introduced the programme which has remained poorly subscribed to in terms of student admissions because of its limited scope.

More recently, under the Patriotic Front Government, a story appeared in the **Post Newspapers** indicating that some academic members of staff in one of the universities had allegedly received instructions from a deputy minister that they should receive and assess research project reports for students who had submitted the same long after the due date and without having followed the laid down supervision procedure.

Another instance cited involved threats by a cabinet minister to dismiss UNZA Radio practical session students for hosting members of the opposition on the radio station. What the minister did not seem to realize is that UNZA Radio is just a laboratory for broadcast practicals by students on the Bachelor of Mass Communication programme. It was therefore logically impossible for anyone to dismiss students since they are neither UNZA nor government employees.

Over the years, peaceful demonstrations by students expressing concern on certain issues of national interest, and suggesting alternatives, have been met with the full force of government including closure of the institutions in some cases. The basis for such draconian measures by government has been that the students are either being used by the opposition or endangering public security.

Instances of the external political environment impacting on the exercise of academic freedom have also occurred when Councilors and Members of Parliament including party cadres have come into universities to direct that certain issues being discussed by staff and students on university campuses were tantamount to interfering with or entering into politics. This development has been attributed to the multi-party dispensation as well as lack of understanding of the mandate of universities by politicians and party cadres. As one participant explained:

“the external environment does not understand that as a university our mandate is to generate knowledge and this knowledge may go against what is generally agreed upon, but it becomes the thesis upon which certain ideas of benefit to the wider society are developed. Unfortunately, people from outside think the university is there simply for students to learn and get degrees. They forget that internally here we must have information generation to remain current as well as to enhance critical thinking”.

The consequence of interference by the external environment is self-censorship by academic members of staff. As stated by one of the participants:

“if we are unfortunate to be in conflict with the politics of the land in the course of executing our legitimate mandate to research, teach and undertake some community service, we might find ourselves not free. We might be censoring ourselves for fear of the political powers not taking kindly to this. That would be an unfortunate situation”.

Religion was identified as another aspect of the external environment which could impact negatively on the quest for knowledge. As one participant put it:

“It is possible for some of our colleagues to fail to investigate certain topics on account of religion. This is because religion tends to forbid. So those external factors might unfortunately impinge on freedom to express ourselves academically. Some of

our colleagues might bow to a little religion-related pressure thinking ‘what will my church, my pastor say if I research on this and publish the results?’.

Cultural factors were also identified as possible impediments to the exercise of academic freedom because there might be certain things which are considered taboos yet they need to be researched on in order for society to progress. One participant explained as follows:

“With cultural factors the tendency is to exercise self-censorship as a researcher. For example if you want to carry out research on early marriages for girl children you might have to ask yourself: If I say this, what will my chiefs or traditional leaders say? The reason is that within cultural arenas early marriages might be considered acceptable. Upon attainment of maturity traditionally a girl is expected to be married but academically it means that she is deprived of the right to education.”

5.2.2 Internal challenges facing students

The study identified three categories of internal challenges: Curriculum, Pedagogical and Infrastructure-related.

5.2.2.1 Curriculum challenges

From the study it was reported that in some disciplines the format of the curriculum did not provide sufficient scope for students to exercise academic freedom and to develop critical thinking as expected in a university setting. The format for the contact sessions for most of the courses is: “Four contact hours per week” comprising “three lectures” and “one tutorial/seminar.” This arrangement means that three times a week the lecturer is delivering lectures and students are copying or taking notes. Only once are they given the opportunity to discuss or debate. As one participant stated:

“What constitutes academic freedom for students is to be able to read. At the moment they don’t have freedom they are told, they are fed. Am telling you because up to now I don’t believe it, that students at UNZA, students at CBU and students at Mulungushi, are being spoon-fed. You cannot spoon feed university students. The number of hours you spend with them as lecturer is too high. You are not giving the freedom to students to read. This is because you feed them then they go back home and lie down. They do not have time to research for themselves. They don’t have that academic freedom in Zambia. Students must come to university to read and not to be taught. The university is not a secondary school.”

It was further submitted that economic factors had contributed negatively to the exercise of academic freedom by the universities. While in search of income to keep the universities running, these institutions had permitted the introduction of client-tailored rather than national-tailored programmes resulting in lecturers focusing on preparing students for such clients instead of developing in them skills for life. As one of the participants put it:

“The university is supposed to prepare students for life in the wider community by ensuring that the curriculum is evenly balanced in terms of knowledge and skills being acquired from the University. Unfortunately, a client-tailored curriculum does not provide scope for the university to exercise its mandate of research, teaching and community service. To me it is like the agenda of the university is being driven by external economic and, consequently, political factors. This state of affairs is not healthy for the university.”

The participants submitted that in order to resolve issues surrounding the curriculum in relation to the role of the university and its exercise of academic freedom, there was need for

academic members of staff to constantly remind each other on the role of the university in society. One of the participants stressed the submission as follows:

“To me it requires that we remind each other all the time that we are not just centers of preparing people to be entrepreneurs. We are preparing a citizen, to be a useful citizen in the wider sense... people that can criticize, people that can analyse issues, people that can understand political statements and begin to be part of the debate in those issues. To me, that is the main role of the University – to produce citizens who will be useful in many ways other than just one way. I think in the early stages of the University really, these were the aims and I think we were seeing the output of these in the wider society as students were going out but we are seeing very little of it nowadays.”

5.2.2.2 Pedagogical challenges

The observation made on curriculum challenges is compounded by and related to pedagogical challenges in that while the expectation might be that within the lectures the lecturer will engage students to make contributions, the majority of them, when asked to, do not because they would not have read anything in preparation for the lecture. As observed by one of the participants:

*“When students come into class they will sit there then they will start thinking. As you lecture, you ask questions nobody answers because we are not engaging them. The reason for which we are not engaging them is that both the students, and ourselves, believe that we are supposed to **teach** them, so they don’t have that time, they don’t have that academic freedom to engage in critical thinking and search for knowledge. So they are like our slaves and as slaves they wait to be taught after which they take away with them whatever we have taught and reproduce it in the examinations. Therefore, we need to reduce on the number of student lecturer contact hours and increase on the number of self-taught hours and individual presentations. And that’s where academic freedom comes in, and once you do that then students will not have time to throw stones because they will be researching, they will be reading and that is what we must do for the future.*

Another dimension is where the lecturer forbids students from asking any questions during the lecture because, ‘it is time wasting’, advising the students to reserve the questions for the tutorial which, due to large numbers of students and limited numbers of teaching staff, might comprise not less than fifty or more students. The outcome, then, is that neither the lecture nor the tutorial provides students with the opportunity to exercise academic freedom through critical self-reading and critical engagement with both the lecturers and fellow students. One of the participants complained as follows:

“Some of the lecturers do not allow us to ask questions or to make contributions during lectures saying they are in a hurry to complete the syllabus and that all questions are supposed to be asked in the tutorials. When we go for tutorials once a week you find that there are too many of us in the tutorial for individualised attention by the tutor. However other lecturers apply what they call interactive teaching whereby from time to time the lecturer asks questions for us to make contributions. So, may be it is a matter of teaching style by individual lecturers.”

The tendency by some lecturers to mute students’ self-expression in the lectures was widely condemned by the participants in the study. One of the participants advised as follows:

“Every lecturer standing in front teaching or reading or whatever that lecturer is doing must understand that he or she is a professional student and the word

professional student must come into it. He or she is learning all the time from many sources including students. You find that you are teaching a student something but that the student has a different view. That view should not be muted under the guise of 'time wasting' but should be accepted and subjected to critical academic scrutiny. You should not insist that you are the only source of knowledge as lecturer and you are on top of it. Students have alternative sources of knowledge such as internet to which as lecturer you might not have had access so you might find that what you are talking about is either wrong or has been modified and the students will tell you."

Another participant insisted:

"We can no longer suppress our students because with advancements in technology students are researching and accessing latest information even as the lecturer is teaching. So, the lecturer should be more of a facilitator, coordinator in a classroom situation. Therefore, I don't think that any good lecturer will stop students from asking and answering questions or offering alternative solution to a particular challenge."

The point being made is that students should be availed sufficient latitude to exercise academic freedom in the lectures as well as in the tutorials in order to cultivate in them critical thinking. However, from the submissions received, this is not the case due to variations in teaching styles as well as due to the high lecturer-student ratio.

5.2.2.3 Infrastructure challenges

The study has revealed that there are three infrastructure-related challenges which have contributed to lack of non-enjoyment of academic freedom by students. One relates to inadequate classroom, library and hostel accommodation infrastructure, the other to inadequate teaching staff and, finally the last one to inadequate teaching and learning materials.

In their construction of academic freedom, students indicated the existence of a conducive environment as prerequisite. From the submissions received, it is evident that there is lack of a conducive environment in all the universities and colleges in the study. The universities do not have adequate classroom, library and hostel accommodation. With regard to classroom space, there are instances where a classroom intended for 120 students has to accommodate 500 students resulting in some sitting on the floor and others learning while standing in the corridors, a phenomenon which has come to be known as learning through 'rumour mongering' or 'hearsay'. Such an environment cannot be said to facilitate the development of critical thinkers, it cannot be said to promote the exercise of academic freedom. Library reading space also remains inadequate thereby depriving students of the opportunity to access textbooks, journals and CD-rom-based resources to undertake self-reading in order to enhance their knowledge and generate information for sharing with staff and fellow students. Inadequate reading space challenges cannot create a conducive environment for the flourishing of academic freedom. Inadequate hostel accommodation has resulted in cases where as many as six students are sharing both bed and reading space by taking turns in sleeping and studying. The infrastructure challenges highlighted by the participants indicate that there is lack of a conducive environment for students to exercise full academic freedom in the universities and colleges.

5.2.3 Internal challenges facing academic members of staff

The tendency to disregard minority views was identified as one of the internal factors affecting the exercise of academic freedom by staff. As stated by one of the participants:

“Lack of tolerance for minority views is one of the challenges affecting the exercise of academic freedom. Some people hold certain views so strongly that if you challenge them you can be labeled as being in the opposition. But my view is that under academic freedom even minority views need to be considered and subjected to scrutiny instead of just being thrown out. I believe that it is not just the large number of people who agree with a given proposition that matters but also the reasons advanced by the small number which does not agree with a given proposition. Sometime minority views may also have something to contribute.”

It was submitted that disregard for minority views was exercised in one of the universities during deliberations to revert from the semester system to the term system when a group of academic members of staff submitted a petition giving reasons as to why in their view the semester system needed to be maintained. As one of the participants explained:

“You see, the change from semester to term system was not exhaustively debated. Some of us opposed the suggestion right from the start and gave what we considered to be valid reasons. We feel that academic freedom to freely debate issues and reach appropriate conclusion was aborted in this case.”

5.3 Measures to protect academic freedom

All the participants acknowledged that the existence of academic freedom in universities was indispensable to the execution of the mandate of universities: the pursuit of research, teaching and community service. As one of the participants stated:

“If we didn’t have the freedom to research and teach freely my fear is that we as humanity would probably be static. We would not add to the information we have, we might be thinking this is the only way to do something and yet there could have been another more effective and more efficient way. I would like to think that academic freedom is actually encouraging creativity which, in turn, adds to the human pool of knowledge. There, for me, lies the importance of academic freedom.”

In the case of Zambia, they observed that this was particularly important under the multi-party dispensation where it has become commonplace to label some researchers as ‘supporters of the opposition’ even when research evidence itself is reflective of the reality obtaining on the ground. Protection of academic freedom is also necessary as it will ensure that universities continue to research into all areas of human endeavor without fear or impediment. As one of the participants submitted:

“There is need to protect academic freedom to ensure that research involving sensitive areas such as in the medical field continue to be undertaken. In Zambia, undressing and observing a naked body of a human being, particularly of the opposite sex, could be considered pornography. However, staff and students in the medical field have the academic freedom to observe such bodies for research and learning purposes, otherwise we might have to close the Medical School permanently. This explains why academic freedom in the universities for both staff and students must be protected.”

Another participant explained as follows:

“Academic freedom is necessary for social progress. Where there is lack of academic freedom, academicians will not be able to exercise their freedom of thought, their

freedom of creativity and their freedom to innovate in order to enhance social development. Social progress requires that academicians exercise their ability for creativity and innovation freely without worrying as to whether or not such creativity will attract sanctions from the minister, the vice-chancellor or any other higher level officer.”

Another participant stressed the need to protect academic freedom in the following words:

“Academic freedom must be protected because it is the essence of education, it is the essence of why we have Universities and Colleges because these are the institutions that conduct research and so on and so forth. If they are limited in the academic freedom sphere, it becomes difficult really to achieve anything and to move forward as a country. So that is how, as students union representatives, we view academic freedom. It’s the essence, the backbone of any academic institution at postsecondary level. It helps such an institution achieve the mandate for which it was established. Without academic freedom there is nothing we can achieve as a country because research is limited even discussions in class will be limited.”

The participants submitted that academic freedom constitutes the bridge which enables universities execute both the privileges and obligations regarding their mandate. The privileges relate to the fact that normally, among teaching and learning institutions only universities have the mandate and capacity to conduct advanced research. The obligations relate to the fact that research output from the universities should be shared with stakeholders external to universities for uptake and application in policy, industry and other areas of human endeavor. As one of the participants put it:

“The mandate of the university imposes on us privileges as well as obligations. As higher institutions of learning we are expected to conduct research, for example on conservation farming in the case of Mulungushi University. That is a privilege which we cannot exercise in the absence of academic freedom. In exercising the mandate, we are expected to be relevant to society by making the research findings available to stakeholders for use in decision-making. Here too, academic freedom is required for us to disseminate information to government and other stakeholders particularly where the findings do not reflect the status quo.”

In the submissions, participants have identified a number of measures which, in their view, could be undertaken in order to protect academic freedom in public universities in Zambia. These include legislation, granting of full autonomy to the universities, introduction of code of conduct for both lecturers and students on how to responsibly exercise academic freedom without infringing on other people’s freedoms and pro-activeness in the practical exercise of academic freedom by both staff and students through research and dissemination of research findings through publications, seminars, conferences and lectures.

5.3.1 Legislation

Some of the participants expressed the view that legislation through either the Republican Constitution or through an Act of Parliament would guarantee the protection of academic freedom such that in the event of sanctions of whatever nature being meted out on a member of staff or a student in the university appropriate redress could be sought. It has also been suggested that academic freedom should also be provided for in the statutes currently being written by the universities to facilitate the implementation of the Higher Education Authority Act.

Some the participants submitted that while enshrining academic freedom in the Republican Constitution or in an Act of Parliament would be desirable, academic members of staff and students in the universities and colleges constituted the ultimate defenders. As one of the participants explained:

“It will be nice to probably have it in the Constitution but we have seen constitutions ignored. In my view the only sustainable defence of academic freedom lies in ourselves as academics uniting and speaking as one regardless of the institution to which we belong. This means that if an academic member of staff at the University of Zambia has been unduly victimized for exercising academic freedom, the entire University community in Zambia should rise and say this is not right and government must know that we are not happy. Then, and only then, will people understand that universities are different from secondary schools.”

5.3.2 Granting of full autonomy to the universities and colleges

Some of the participants have argued that there cannot be sustainable protection of academic freedom in the absence of full autonomy being granted to the universities and colleges. They have stated that, over the years, lack of autonomy has prevented the universities from making independent decisions such as introduction of economic fees to enhance universities' financial capacity to undertake capital projects such as construction of library space, hostels and classrooms as well as recruitment of additional staff in order to reduce lecturer-student ration to acceptable levels which would enable lecturers and students interact more effectively in the tutorials and seminars. One of the student participants stressed this issue as follows:

“First and foremost I think public institutions must be made independent from the government. Independent from the government in the sense that they should not have any political inclination such that decisions being made by the university administration that impact the students ultimately should not be driven from the governments influence or their invisible hand. Currently, the university council is appointed by the government, the Vice-Chancellor technically is also appointed by the government. There is high likelihood of government coming in to influence the Vice-Chancellor's decisions on matters affecting students. Now that in itself doesn't constitute academic freedom so that needs to be dealt with once and for all.”

5.3.3 Introduction of code of conduct for both lecturers and students

Further some of the participants have suggested the introduction of a code of conduct to guide both lecturers and students on how to exercise academic freedom. The background to this suggestion is that in a number of cases both staff and students have been accused of pursuing political agendas, particularly outside university premises, under the guise of academic freedom thereby bringing the name of the university into disrepute.

5.3.4 Proactive exercise of academic freedom by both staff and students

Other participants argued that legislation and introduction of code of conduct for both lecturers and students would have no meaning at all if both staff and students remained docile. They stressed that staff and students constituted the ultimate defenders of academic freedom because they needed it to execute the mandates of the universities and colleges and should therefore exercise pro-activeness in defending it. They should display the right attitude of respect for the views of others in line with the tenets of responsible exercise of academic freedom. As one participant stated:

“I think academic freedom ...is a matter of attitude that I should respect your views and you should respect mine even if we differ. We are not the same people and since

we are not the same people we are likely to differ but our differences should be on ideas and not on personal grounds. So for me even if we put it in the Act it will be good because people will read it and will feel legally protected but if the attitudes don't change then we have done absolutely nothing. What is important is to have people with the right attitude. These are the people who will defend academic freedom on the ground."

With regard to students, it was submitted that they should be proactive, within the confines of the university or college, in organizing as well as participating in debates on emerging national issues. This can be done within their Union activism or within the framework of students' associations, which operate under the auspices of the Union, or faculties. As one participant put it:

"Students can also participate in defending academic freedom by initiating, organizing and participating in debates on national issues from an open, objective and non-partisan perspective and within the confines of the universities. They can even invite relevant persons from outside to come and make presentations. In my view there must be protection of that freedom because we are teaching people not only about economics. We are preparing them for various roles in their adulthood for which they require critical and objective thinking and analysis. These skills are developed through intellectually stimulating debates conducted in a free atmosphere, under academic freedom."

5.3.5 Awareness-raising for both staff and students

Another suggestion made with regard to protection of academic freedom is that there should be awareness-raising for both staff and students in terms of practical application or realization of the concept. This suggestion has been made on the understanding that it is possible some of the academic members of staff as well as some of the students are not sufficiently aware of how the concept should be exercised. As one participant stated:

"At the very highest level it is necessary to have academic freedom explicitly enshrined in the constitution in case this is not the case because that is the highest level where one can go. At practical level, there might be some colleagues, who might not entertain the exercise of academic freedom by students. Are these colleagues even aware that when they say to a student 'don't use that word in my classroom' they are actually curtailing academic freedom? I see an awareness-raising aspect to protecting it. I also see the higher level where the law of land already says, 'let them question things, let them research whatever else they want to research, don't restrict them'. I see various levels of how we can protect academic freedom".

5.3.6 Being relevant to society

It has also been suggested that universities can protect academic freedom by being relevant, and proving that relevance, to society through enhanced visibility under the community service dimension of their mandate. One of the participants explained as follows:

"I think that protection of academic freedom can be enhanced by gaining understanding of the public on the relevance of the university through action, yes what has this institution done for the public, what has the School in which I am Dean, for example, done for the public for us to be recognized and for people to say yes that was done by the University? To me that is the way we can speak more effectively through action than through words. Staff and students should also ensure that in addition to basic research, which appeals to the intellect of fellow academics, they should undertake some applied and innovative research."

Another participant insisted that:

“Academic members of staff should win the confidence of the people by exercising their expertise in their areas of specialization so that when they talk about something they will do so with authority then you find that society will be attracted to whatever they say. In this way, society will say ‘here is an academic we will listen to him’. You have won their confidence because what you say is based on research and not on political patronage or expediency.”

The aspect of being relevant to society also applies to students who society expects to be molded into responsible citizens who will lead their communities into prosperity upon taking up leadership positions. In this regard, their exercise of academic freedom should be based on relevance to society as well. As one participant explained:

“I think that at times students lose it when they display the perception that academic freedom is tantamount to black-mailing the university management or the government in order to attain certain demands. Academic freedom means engaging society in a mature and responsible manner without violence or confrontation or attacking innocent members of society including the same academic members of staff who teach them. Our students can exercise relevance to the needs of society by undertaking community and national projects thereby impacting positively on public perception of the university. In this way, when students talk about certain issues affecting society such as good governance or poverty reduction, society will listen to them. As future leaders, they are expected to lead by example. For example, if they are union leaders we do not expect them to misuse their union funds.”

5.4 Conclusion

The findings from the study have shown that the state of academic freedom in public universities has been facing more challenges under the multi-party dispensation than was the case under the one-party system. Since 1991, the party in power has often construed divergent views from university staff and students as having been instigated by the opposition even in the face of irrefutable evidence that these views are based on research findings. For this reason the need to ensure protection of academic freedom is more urgent now than ever before. This observation is consonant with Altbach (2007:1) who asserts that:

Universities cannot achieve their potential nor fully contribute to the emerging knowledge-based society without academic freedom. But it is far from secure. Even colleges and universities in western democracies face subtle but significant challenges from the privatization and commercialization of research and from the complexities of the information society. ... Faculty members – the constituency most concerned about the mission and core values of the university - must remain vigilant.

5.5 Recommendations

Arising from the findings of the study, the discussion and the conclusion thereof, the following recommendations are being proposed:

- (i) There should be explicit legislation enshrining academic freedom in either the Republican Constitution or an Act of Parliament. Explicit provision should also be made in the University Statutes which are currently being developed to facilitate the implementation of the Higher Education Authority Act;
- (ii) Government should grant full autonomy to all public universities to enable them make independent decisions regarding their mandate of research, teaching and community service under the foundation of academic freedom;

- (iii) Government should allow public universities to charge economic fees in order to raise the required funds to run the institutions. The vulnerable who are unable to pay should be facilitated through the student loan scheme whose initial funding could be raised through a special fixed-duration education levy to be implemented on the lines of the television levy;
- (iv) Public universities should ensure that all newly recruited academic members of staff undergo appropriate induction in the tenets of academic freedom which is exercised through research, teaching and community service;
- (v) Public universities should consider reviewing the ratio of lectures to tutorial/seminar sessions to give students more time to read, research and make presentations in order to enhance critical thinking;
- (vi) Public universities should consider inducting all academic members of staff in teaching methodology in order to enhance their capacity to apply participatory and interactive approaches to teaching;
- (vii) Public universities should consider introducing a code of conduct for staff and students on how to exercise academic freedom in order to reduce suspicion from government and ruling party functionaries;
- (viii) Students' Union leaders should consider periodically inviting various policy makers to make presentations and interact with them either within or outside university premises in order to afford students the opportunity to exercise debate and critical analysis skills;
- (ix) Students' Union leaders should ensure that orientation for all first year students includes induction in the tenets of academic freedom;
- (x) Government should provide adequate funding for all institutions of higher learning with particular attention to research because this is the backbone of sustainable social and economic development;
- (xi) ZANEC should facilitate the harmonization of pieces of policies in higher learning institutions on academic freedom in order to enhance sharing of experiences and advocacy;
- (xii) Public higher institutions of learning should establish formal links with industry, private and public sector in order to enhance exchange of information which would inform curriculum review and development, research, teaching and consultancy as well as facilitate resource mobilization; and
- (xiii) Public higher institutions of learning should enshrine academic freedom in all their policy and other documents in order to promote the culture of freedom to generate, analyse and disseminate knowledge.

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