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The Governance of Kenyan Public Universities

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ABSTRACT This study investigated issues in public university governance that contributed to the rapid expansion of university education and its impact on the quality of education as well as the effect of government involvement in the management of universities. The study established that although the socio-economic and political pressures coupled with external policy formulations led to the rapid expansion of all levels of the education system following Kenya's independence in 1963, university education expanded phenomenally from the 1980s in response to the insatiable demand for such education. The political system exploited this demand as a means of squaring issues relating to historical and regional inequality and the devaluation of the assumed elitist ethos of the formal education system. Among the important politically motivated factors that has influenced large numbers of student admission in public universities is the relatively high frequency of student boycotts of lectures which in most cases are accompanied by government closures of institutions. The politicisation of decision-making has further reduced the effectiveness of the Commission for Higher Education which had been set up with full statutory powers to plan, develop and maintain the quality of university education. The overall consequences of politicised university governance has been unplanned growth of university education without commensurate rise in the level of funding, leading to a sharp decline in quality of education, and diminished democratisation of decision-making within the university management. All these factors point to the need for constitutional liberalisation which will release universities from arbitrary intervention by the executive powers and the need for universities to diversify their sources of funding.

Introduction

Governance in higher education is said to involve the authority to make decisions about fundamental policies and practices in several critical areas concerning colleges and universities: their number and location, their mission, their enrolment size, the access of students to their instructional programmes and the access of citizens to other services, degree requirements, the quality standards expected in student performance, the quality of research and public service activities, the freedom available to individual faculty members in their instructional and research activities, the appointment of staff, internal organisational structure, the allocation of available resources to operating and

support programmes and financial support. The problem of governance is therefore the location of authority to resolve these issues: internal and external (Millet, 1985).

Governance in higher education as defined above is inextricably linked to university autonomy and academic freedom. From the earliest beginnings of the university in the middle ages, down to the present century, autonomy or self-government has been the key ingredient in the ideology of institutions of higher learning (Perkins, 1978). This ideology envisages the freedom or autonomy of the institution to make its own decisions on a broad complex of issues without interference from external, non-university agencies (Ajayi, 1990).

The traditional idea of academic governance stresses the importance of autonomy, and academic institutions have often used it to insulate themselves from direct control by external agencies. However, with the increase in size, scope, importance and cost of higher education, there have been immense pressures from those funding higher education, mostly the state, for accountability from institutions of higher learning (Altbach, 1991). It has also been observed that, on the one hand, too much autonomy might lead to higher education being unresponsive to society; and on the other hand too much accountability might destroy the necessary academic ethos (Lee, 1997, p. 198). Academic freedom and university autonomy, though related are not synonymous. According to Berdahl (1990, p. 171):

Academic freedom is that freedom of the individual scholar in his/her teaching and research to pursue truth whenever it seems to lead without fear of punishment or termination of employment for having offended some political, religious or social orthodoxy.

Academic freedom is directed more at the individual level, whereas campus autonomy operates at the institutional level. Institutional autonomy can be further differentiated into substantive autonomy and procedural autonomy (Berdahl, 1990). Substantive autonomy is the power of the academic institution in its corporate form to determine its own goals and programmes, whereas procedural autonomy is the power to determine the means by which these goals and programmes will be pursued. What is crucial for this study is how closely does the state intervene in the core elements of the academic institutions, such as administration, the authority to appoint and promote academic staff, the content and mode of instruction and research, and the setting of academic standard and assessment performance?

It needs to be pointed out at the very beginning that the ideology of autonomy and academic freedom has been for long a very contentious issue with regard to African Universities. At the time many were established, although autonomy and academic freedom were perceived as functional prerequisites for effective higher education, such classical notions of universal freedoms protected by autonomous institutions could not escape the changes that were taking place in the African continent (Court & Ghai, 1990). The call across the continent was for a fundamental redefinition of the role of universities. Universities were being called upon to signify their commitment not just to knowledge for its own sake but to the pursuit of knowledge for the sake of, and for the amelioration of, the

conditions of the common man and woman in Africa. In this regard African universities were to be distinctly different from the traditions of Western universities by evolving different attitudes and approaches to their tasks (Yesufu, 1973, p. 140). This perception was reinforced by the notion of institutional accountability and developmental relevance.

A more recent trend that has affected universities and attitudes towards their autonomous aspirations has been the pressure on educational budgets occasioned by the fact that the economies of the continent have not grown rapidly as was originally anticipated. As the economic conditions have deteriorated, governments have become less benevolent towards their universities than in the earlier era. The impressive expansion of student numbers in many countries in the past decade or so has been achieved without a proportionate rise in resources available to higher education. Because of the decline in per capita funds, universities have been forced to curtail expenditures which they would have liked to deploy in such areas as staff development, books, postgraduate training and equipment. Financial austerity exacerbates a climate of dependence which is not hospitable to the pursuit of institutional autonomy or individual freedoms (Court & Ghai, 1990, p. 4).

It should also be qualified that universities' autonomy and academic freedom very much depend on the prevailing political system, since democracy by its nature guarantees autonomy while authoritarian form of political organization denies the concepts of autonomy and academic freedom. In an authoritarian system, the activities of the state are normally centralized and the university is treated as an appendage of the government (Albornoz, 1991). Since the African continent has been characterised by authoritarian regimes for a long time, they have not nurtured a political atmosphere for the existence of autonomy and academic freedom in universities.

According to the stipulations of the various African universities acts, these universities are supposed to be autonomous of government control. The establishment of new institutions of higher learning is expected to follow laid down government procedures through specific legislation. Although many universities have enjoyed some degree of autonomy with regard to student admissions and academic staff recruitment, as well as in the determination of their teachings and research agenda, government involvement in the running of universities has been a common feature of government-university relations (Mwiria, 1992).

At the outset government's involvement in universities begins with their establishment. There has been a persistent trend towards the proliferation of universities to satisfy group and community interests without any regard to availability of adequate facilities and resources. The establishment of universities in some African countries has by and large been government or individual Presidential initiative/directive. In the hands of many a government in power, the university acquires the same status as an industry which is used as a largess to reward political patrons and loyalists. In effect scientific rationale, and feasibility studies which determine cost effectiveness are disregarded. Such universities remain riddled with planlessness and lack of vision (Emenyonu, 1990).

The second level of government involvement in university affairs in Africa has been the area of management. In addition to the fact that governments appoint and nominate key university administrators and members of university councils, government involvement is highlighted by directives on the number of students to be admitted to universities, ordering closures, the determination of terms and conditions of service for university staff and in some cases the censoring of academic staff members research, teaching and travel agendas by requiring them to obtain official research and travel authority (Mwiria, 1992, p. 19).

Although the expansion and management of university education through government involvement has been widespread in many of the Eastern and Southern Africa region countries, Kenya represents perhaps the most extreme version of this phenomenon. Through a chain of Presidential directives, have resulted in the establishment of five full fledged universities and several university colleges in the country within one decade with student enrolment of around 40 000. For all the five public universities, the President of Kenya is the Chancellor. The chancellor also appoints and dismisses, Vice-chancellors. The government also nominates most members of the university councils (Mwiria, 1992). Government involvement in universities' affairs has also extended to administrative matters as well as the admission of students.

Government direct intervention in university affairs is carried out in the backdrop of the fact that in Kenya as in other Commonwealth African countries, an intermediary body, the Commission for Higher Education (CHE) was established in 1985 to handle matters relating to university development. There are university acts and statutes which are expected to direct the development and the governance of these institutions.

The Research Problem

During the past decade or so, Kenya's public university system has experienced very high rates of growth which have not been accompanied by a commensurate rise in the level of funding. This growth of universities in the face of budgetary deficits and manpower surpluses is largely a product of the insatiable demand for higher and higher levels of education. The government seems to have exploited such demand and politicised decision-making in the expansion of university education whose effect appears to be a serious decline in the quality of education in public universities due to an acute shortage of facilities and teaching personnel. The politicisation of decision-making reduced the effectiveness of the Commission of Higher Education which had been set up with a responsibility to plan the development of university education. There has been little or no research documenting issues in university governance that contributed to the rapid expansion of universities and its impact on the quality of education.

At the level of university management, stipulations by the acts of the five public universities, these institutions are supposed to be autonomous of government control. Although the universities enjoy some relative measures of autonomy, government involvement in their governance has been a common feature. Such involvement tends to have the adverse effect of limiting effective

consultation and participation in decision-making by the various structures of university administration and members of the university community.

The purpose of the study was therefore to investigate issues in university decision-making that contributed to the rapid expansion of university education and its general impact on the quality of education and the effect of government involvement in the management of public universities. More specifically the study had the following main objectives:

- to examine issues in decision-making that contributed to the rapid expansion of public universities in the last one decade or so;
- to consider the role of the Commission for Higher Education on the development of university education;
- to examine government university relations;
- to analyse decision-making and the management of universities;
- to assess some effects of politicised university governance.

Rationale

This study is significant in several respects. First that the study has attempted an examination of the issues that contributed to the rapid expansion of university education, its findings should serve as a useful reference document to planners, administrators and practitioners dealing with higher education and its improvement.

Secondly, a statutory institution such as the Commission for Higher Education (CHE) which was established by an act of parliament is a full fledged institution with facilities and resources that are maintained through public expenditure. Although it was established to harmonise and guide the development of higher education, the increasing politicisation of decision-making in the expansion of universities seems to have considerably reduced its effectiveness. The findings of this study might contribute to activating its role in university education.

Thirdly, the study will hopefully contribute to making possible more informed and effective decision making in government university relations and governance of universities as well as their internal management.

Finally, the findings of the study would assist the government, national as well as international agencies dealing with higher education to improve the structures and organisation of their related plans and activities on institutional management especially in situations involving the use of limited resources.

Data Collection

Data for this study was collected through documentary review of published and unpublished documents.

Primary data was collected through structured and unstructured questionnaire as well as in-depth interviews. These were carried out with university administrators and academics on how they perceived to be the role of government in university development as well as what they viewed as the proper limits of government intervention. University administrators and academics were

also asked to comment on issues relating to management structures of public universities. The views of senior government officials were also sought on the extent to which the government should be involved in university governance.

With regard to the sample, purposive sampling was done to identify senior government officials, university administrators, officers of CHE and Higher Education Loans Board (HELB). In the ministries of Education, Finance and Economic Planning, officers dealing with university education were targeted. This gave a total of 17 government officers who were interviewed. Within the University administration, vice-chancellors and their deputies, principals, registrars, deans, directors and chairpersons of departments were targeted, providing a total of 34 university administrators interviewed through in-depth interviews.

The academic staff filled questionnaires. Out of an estimated academic staff of around 3000 members, 300 were randomly sampled to fill the questionnaire.

Data was analysed qualitatively and quantitatively. This had the advantage of the two approaches supplementing each other.

It should be reported that the research process was extremely difficult. Scheduling interviews especially with ministry officials was a little difficult. Quite often interviews had to be cancelled and rescheduled again because these officers seemed to have very busy schedules or commitments. This meant that researchers had to make many trips to government departments to hold a single interview which had a serious cost implication. This was, however, not a major problem with CHE, HELB and university administrators. In particular we appreciated the two vice-chancellors who readily availed themselves for interviews. We however experienced serious problems with academic staff in filling the questionnaires. Some were quite reluctant to participate in the project while many were not easily available in their offices during working hours. Consequently out of the 300 randomly sampled academic staff to fill questionnaires only 126 managed to do so from all the public universities and Maseno University College. It is a pity that academicians by virtue of their training and profession who should cherish research work, are the ones working to undermine a research process in which they are called upon to contribute.

The Origin of University Expansion

Kenya placed considerable importance on the role of education in promoting economic and social development after the achievement of independence in 1963. This resulted in the rapid expansion of the education system to provide qualified persons for the growing economic and administrative institutions and to undertake some reforms to reflect the aspirations of an independent state (Court & Ghai, 1974).

The expansion and reform in the education system were also motivated by political pressures. Almost every politician and election manifesto leading to independence elections called for more educational opportunities of all types, cheaper or free education, universal primary education, the Africanisation of syllabuses and teaching staff and an atmosphere in which the African personality and culture could flourish.

There were external factors which too contributed to the expansion of education, especially at the higher levels. Among the important ones was the Report of the Conference of African States on the Development of Education in Africa, which met in Addis Ababa in May 1962 (UN, Economic Commission for Africa/UNESCO, 1961). In addition, the Kenya government and the United Kingdom requested the International Bank for Reconstruction and Development to undertake a survey of economic development of Kenya. A 10-member mission studied all aspects of Kenya's economy, and education was treated as one sector for funding. The mission pointed to the bottleneck at the secondary level as the most critical educational need requiring large numbers of expatriate teachers as well as qualitative improvements in teacher training (Sheffield, 1973). This report had an important bearing on the government's formulation of educational policies.

The socio-economic and political pressures coupled with external policy formulations led to a rapid expansion of all levels of the education system. At the primary level, enrolment increased from 891 533 in 1963 to over 4.3 million in 1983. The number of teachers at this level increased from 22 665 to 119 709. At the secondary level, at independence enrolment was approximately 30 000 pupils taught by 11 600 teachers. The majority of the teachers were expatriates or foreign-trained. In 1983, the enrolment was over half a million with a majority of teachers being Kenyans. University enrolment rose from 452 undergraduates in 1963 to 5 454 undergraduates and 1 383 postgraduates in 1983 (Republic of Kenya, 1983).

With regard to university education, further expansion was prompted by a directive in 1980 that the government was to establish a second university to the existing University of Nairobi before the end of the 1979-83 Development Plan period. In January 1981 a Presidential Working Party on the Second University in Kenya was appointed to make general recommendations on the implementation of the government decision to establish a second university. Among the Working Party's key terms of reference were:

- Recommend a philosophical framework concept and objectives within which the university could best serve the interests of the Kenyan society.
- Recommend the size including student enrolment, structure and disciplinary coverage of the proposed university.
- Produce and submit its report within a period of six months from the date of appointment by the President (Republic of Kenya, 1981).

The decision to establish a second university in the country without much debate and subsequent ones that have led to the proliferation of public institutions of higher learning, should be interpreted in the context of wider policy formulation. The policy formulation style in Kenya has always centred on the person of the president. He sets the pace and tone of government policy through slogans and pronouncements. This style normally applies to all spheres of life, such as social, political, economic and educational matters. Most major policy pronouncements in the country are associated with the president who is supposed to be the source of wisdom and the one who gives the policy drive, blessings and legitimacy. It does not matter who initiates and moves the policy to the centre, but the credit always goes to the president.

Since a decision had been taken to establish a second university through a presidential directive, the Working Party was not asked to determine whether a second university should be established, but how it was to be done and what shape it was to take. It simply confirmed the social demand for university education and repeated the usual statements about the shortage of highly skilled manpower that was claimed to be hampering Kenya's development efforts. The Working Party was not asked to and did not examine, the effective demand for university level skills in the economy, even though this should have been considered essential information for the execution of its terms of reference, especially determining in which areas the university should specialise (Loubser, 1983).

The concept and philosophy of the second university recommended by the Working Party placed emphasis on the role of the university as part of the training system, rather than the entire education system. In general it recommended that the disciplines offered by the second university be oriented to developing the infrastructure that was necessary for rural development and that it concentrates on agriculture and technology (Republic of Kenya, 1981). At the time, there was mounting evidence that the country was faced with a potential oversupply of trained people in agriculture. Manpower studies indicated that while there were some specialisations within each of the broad fields that remained in short supply, the existing institutional capacity of the country at the undergraduate level would not only meet realistically assessed economic demand in the near future but would supply more graduates than the economy would be expected to absorb (Government of Kenya, 1980).

On the basis of a report of the Working Party, the government went ahead with the establishment of a second university near Eldoret, on land donated by the Lohnro Group, and UNESCO assisted with the development of detailed plans. The intention was to have the first phase completed by 1990, in time for the first intake of 8-4-4 school leavers.

The social demand for university education was high in Kenya and the government's decision to establish a second university had wide public support for this reason. The enrolment ratio for the 18-23 age group in Kenya at the tertiary level was only around 1% and the majority of these enrolments were not at university.

The insatiable social demand for higher education in Kenya is a response to a number of factors. The first factor stems from the close relationship between education and the formal sector employment and the absence of other alternatives to wage employment. The income-generating potential of agricultural activity has been severely if not terminally undermined by increasing land scarcity, unpredictable and governmental pricing policies, lack of capital and poorly implemented and supported rural development initiatives. As a result of these dynamics, families have increasingly turned to wage employment for economic survival. Higher and higher levels of education have become the prerequisite for such employment. The second factor, which is not independent of the first, relates to the nature of the reward structure. Remuneration for most wage employment in general, and professional employment in particular, far exceeds the income-earning potential of virtually any other endeavour. Despite

the very real possibility of unemployment, the potential returns more than compensate the risk. The plight of the communities with regard to this problem is reflected in the intensified demand for education which results in the rapid expansion of university education (Hughes & Mwiria, 1990). The question to be posed was whether this should have been a priority for the allocation of scarce public revenues at a time when it was clear that social demand was not backed by economic demand (Bennell, 1981).

The establishment of Moi University, which was Kenya's second public university and located in the Rift Valley where the country's president hailed from could be seen as a political response to factors related to historical and regional inequality, and the Presidential Working Party made no secret about this factors. It was noted:

Further it is now recognized that while some areas of the nation are well served in terms of primary and secondary schools, and so have had the possibility of greater access to University education, there are sections of the nation particularly the arid and semi arid areas which have been at a disadvantage in terms of access to education. Attention is now being focussed on ways by which such imbalances of opportunity may be redressed. Also those groups which traditionally did not seek out educational opportunities now have begun to appreciate the need to enrol their sons and daughters. All these things will surely increase public demand for more post-secondary and university education in the country. (Republic of Kenya, 1981, p. 1)

It is for these reasons that the Working Party decided to address the issue of restructuring the education system in the country which did not constitute part of its terms of reference. The 7-4-2-3 education structure was accused of intensifying both regional and social inequality. At the regional level, it was noted that the educationally disadvantaged regions of the country did not reap as much benefits from the 'A' level system as did those regions of the country where there were many well established secondary schools. The disadvantaged regions did not enrol as many of their students in 'A' level streams mainly because such streams were available in the more economically advantaged regions, which also tended to have enjoyed historical advantages with regard to the establishment of both primary and secondary schools. The Working Party therefore recommended that the 'A' level segment of the secondary school system should be scrapped and that entire education system should be restructured to an 8-4-4 system (Republic of Kenya, 1981, p. 9).

The Working Party seemed to represent sections of the government that clamoured for the abandonment of the elitist ethos that had served as the foundation of the formal education system in Kenya since its inception. They preferred instead a populist orientation that vigorously supported a broader diffusion of education. They were less concerned with the maintenance of standards than with the accessibility of schooling to more members of the community (Hughes & Mwiria, 1990). Although the populist view seems to have initially worked successfully, the situation eventually tended to get out of control with increased demands for more and more university education.

Efforts to address regional or ethnic imbalance have also been reflected in the 'bastardisation' of the admission process on political considerations. With the ascendancy of President Moi to power in 1978, there was the introduction of a special quota system of admissions under the so-called affirmative action which has in a large measure tended to benefit certain ethnic groups closely connected with the political establishment. This policy in many ways has meant that high scoring candidates in the national examinations have been by-passed because of their ethnic origin. The low scoring and at times unqualified and generally ill-prepared students are admitted purposely to achieve ethnic balance (Emenyonu, 1990).

The Double Intakes and Establishment of More Public Universities

A factor of some importance that has influenced large numbers of student admission in public universities in Kenya is the relatively high frequency of student boycotts of lecturers which in most cases are accompanied by government closures of the institutions in question. Closures have ranged from a couple of weeks to well over a year. When universities close for any appreciable length of time, teaching programmes are rescheduled and university calendars are altered to take account of lost time. The prolonged closure of the University of Nairobi and its constituent college of Kenyatta was a major reason for the 1987/88 academic double intake (Mwiria, 1990).

On 1 August, 1982 amid increasing political repression, the Kenya Air Force staged a failed coup which seemed to have popular support by sections of the Kenyan society including university students who openly demonstrated their support. In reaction the government ordered an indefinite closure of the university which lasted for about a year. This meant that around 8000 applicants who qualified for university admission by end of 1982 could not be selected for admission in the 1983/84 academic year. This prolonged closure coupled with other shorter duration closures contributed to a backlog of qualified students due for admission.

To clear the backlog, universities were directed to embark on a double intake of students starting with 1987/88 academic year. As most senior government officials admitted, the rapid expansion of university education starting from the mid-1980s were never planned. One of them put it as follows:

There has been no planning in university education for a considerable length of time. The last planning effort in university education was there before rapid expansion started. Since then planning was thrown in a state of confusion. University development seems to be guided by directives from sections of the ministries of Education or Finance and Economic Development and the Chancellor of the public universities.

From our interviews, some officials in the ministries tended to avoid the issue of planning of university education in the country because it was interpreted to be a political matter. There were however, others who blamed lack of planning on popular demand for higher education.

The rapid expansion of university education was a spontaneous response to the high demand. With increasing large flows of students from schools, popular demand for higher education increased. People seem to have put a lot of hope in higher education and this appears unique in the countries of this region.

Following the government directive on double intake of students, university enrolments increased substantially in 1987/88 academic year (see Table I) with two incoming classes starting the year at both university of Nairobi and Kenyatta University. In that year the enrolment increased by 89% over the previous year. The enrolments increased by a further 2261 to 23138 students in 1988/89 academic year, representing an increase of about 109% over the 1986/87 figures (Gray, 1992).

Academic year	Nairobi	Kenyatta	Moi	Egerton	Total	% increase
1983/84	5,249	2,169	-	-	7,418	-
1984/85	5,103	2,144	83	-	7,330	-1
1985/86	5,158	2,338	112	-	7,608	3
1986/87	5,506	3,505	230	136	9,337	21
1987/88	8,984	8,196	977	786	18,943	89
1988/89	10,034	7,868	2,119	1,825	21,846	11

Table I. Growth in university student enrolment, 1983-90. Source: Republic of Kenya, *Economic Survey*, 1989.

It was apparent that the plans of the government were to keep up with this pace: As it was stated:

... the government has established four public universities to provide increased opportunities for university education and training. However, there continues to be a growing demand for university education as more school leavers, especially from the 4 year secondary education of the 8-4-4 system of education seek to enter universities. The government plans to continue with the expansion and the development of university education to meet this demand. (Republic of Kenya, 1988, p. 30)

In fact the Presidential Working Party on Education and Manpower Training (Kamunge Report) announced in August 1988 that by the year 2000 public universities would enrol 50 000 students.

The second double intake of students occurred in 1990/91. This was prompted by the shift in the country's education cycle from 7-4-2-3 cycle to the 8-4-4 cycle. The main changes that occasioned the shift were the primary school cycle which was extended to eight years after the advanced certificate of secondary education 'A' level had been abolished, reducing the number of secondary education from 6 to 4 years and the university undergraduate cycle extended from 3 to 4 years.

By abolishing the 'A' level segment of the education system, the Presidential Working Party had created a situation where over 170 000 applicants for university entry were available as opposed to no more than 20 000 potential applicants in the 'A' system. The 1990/91 admission process had however to accommodate both 'O' and 'A' level applicants for entry into university.

The large enrolment of university students was a key corollary to the establishment of more public universities. In 1984 Moi University Act established that institution as the second national university on the basis of what we have described in the previous section. Kenyatta which had been a constituent college of the University of Nairobi for some years, became an autonomous institution with the enactment by Parliament of the Kenyatta University Act of 1985.

On 30 July 1986 Egerton College which had been an agricultural training institution since 1939 became a constituent college of University of Nairobi through an Act of Parliament and became a full fledged university on 23 December 1987 following the enactment of the Egerton university Act. In late 1988, parliament made the Jomo Kenyatta College of Agriculture and Technology a Constituent college of Kenyatta University (Achola, 1990). It became an independent university through the Jomo Kenyatta University of Agriculture and Technology Act of 1994.

A number of factors combined to determine the location and upgrading of these institutions. From our interviews with ministries' officials few of the universities were planned in advance and quite often Bills were rushed through Parliament after the Chancellor had announced during some important occasion regarding the elevation of a particular institution. The factors leading to the upgrading of institutions include, first as part of the public demand for higher education certain communities directly through their leaders petition the President for opening of a university or university college in their region. Of course not in all cases is the request granted and that is why some Coast Province politicians have been blamed for not pressing hard enough for opening of a university in Mombasa, the second largest town in the country.

Secondly, expansion in education in general and university education in particular is seen in many quarters of government as a symbol of development. Numbers of student enrolment and institutions are very much cherished by the political leadership. Little doubt that on important occasions, the people are reminded of the significant progress the country has made since 1978 (Moi's ascendancy to power) through the number of students enrolled at university and an increase from one to five public universities. No mention is made about the quality of education offered at such institutions.

Thirdly, the creation of independent universities has been the result of some administrative problems arising from colleges operating as constituent colleges of a full fledged university. A constituent college tends to feel inhibited in its development because key decisions have to be taken on their programmes particularly on academic matters, by a senate over whom the college authorities have little or no control at all. Quite often there are also issues of personality conflict between the Vice-Chancellor of the university and a principal of a

constituent college. There are numerous examples of administrative issues and personality conflicts that led Kenyatta, Egerton and Jomo Kenyatta College of Agriculture and Technology to petition the President who is also Chancellor to grant them independent status.

The Role of the Commission for Higher Education (CHE)

The irony of direct government participation in the expansion of university education is that in 1985 the Commission for Higher Education was established under the provisions of the universities Act with some of the following major functions:

- advise the minister on the establishment of public universities;
- accredit universities;
- coordinate the long term planning, staff development, scholarship and physical development of university education;
- co-operate with government in planned development of university education;
- examine and approve proposals for courses of study and course regulations submitted to it by private universities;
- make regulations in respect of admission of persons seeking to enrol in universities and to provide a central admissions service in public universities;
- ensure the maintenance of standards for courses of study and examinations in the universities;
- collect, examine and publish information relating to university education and research;
- plan and provide for financial needs of university education and research including the recurrent and non-recurrent needs of universities;
- determine and recommend to the minister, the allocation of grants of money for appropriation by parliament to meet the needs of university education and research and revenue expenditure by universities of moneys appropriated by parliament.

These functions gave considerable statutory powers to CHE to run university education. Ironically only one of its statutory functions, the accreditation of private universities has been its main preoccupation since its secretariat became operational in 1986. The mushrooming of private universities has focused the commission's energies in developing accreditation instruments to regulate and permit the award of charters.

The Commission for Higher Education according to its statutory powers was expected to play an active role in the planning, development, budgetary matters and maintaining quality of university education. The politicisation of planning and development of university education as already discussed seems to have effectively denied the commission this particular role. This was supported by views expressed by some government officials with regard to the rapid expansion of university education.

Planning was supposed to be a major function of the Commission for Higher Education. CHE tried and set up a committee especially with regard to financing, but it was decided that the committee should not deal with matters

relating to funding. CHE also set up a University Grants Committee which made some plans but again it was overtaken by events. The government seems to have approached the expansion of universities from a political point of view because it wanted to appease the public by opening up more and more university education. The public universities were also empowered to do everything on their own, they therefore did not see the need of working through CHE ...

Government action in decision making also made it difficult for CHE to play an active role in public university budgetary matters. In practice after the establishment of CHE, public universities continued to argue their individual budgetary submissions with the treasury, liaising with each other and collectively through the committee of vice-chancellors, and where necessary carrying their cases to the office of the President who is the Chancellor of each of them. Interestingly vice-chancellors who are normally represented on CHE and praise its work on accreditation of private universities, effectively by pass the CHE when it comes to their own plans and budgets. They defend their institutional autonomy which each university enjoys by virtue of its own statute, and clearly resisting the notion of ceding part of it to CHE. They believe that rationalisation of departments and related planning issues are best handled by freely negotiating them among themselves (Coombe, 1991). The vice-chancellors' resentment of CHE was well summed up by a former principal of a constituent college of one of the public universities:

In the past there was serious mistrust between the Vice-Chancellors and CHE. Most of the VCs saw the secretary to CHE as a super VC and therefore resisted the authority of that institution. They had established autocratic structures in their respective universities and felt answerable to no other authority save the Chancellor who had appointed them. As a result CHE could not function and this led to some major problems that universities are experiencing today.

The consequence of vice-chancellors by-passing the CHE has been a disproportionate allocation of grants to the universities. For a long time grants have been allocated to the different universities depending on the ability and influence of each vice-chancellor to lobby with the treasury of the Ministry of Finance and the favours he commands with the Chancellor. For financial control the vice-chancellors even went further to eclipse CHE by proposing a statutory university grants committee, independent of CHE (Coombe, 1991). This proposal has, however, not been effected by the government.

CHE statutory requirement to make regulations in respect of admission of persons seeking to enrol in universities and provide central admissions service to public universities, as well as the maintenance of standards for courses and examinations, were rendered inoperative through the creation by the vice-chancellor of the Joint Admissions Board (JAB) with its secretariat at the University of Nairobi. Chairmanship of JAB is held by vice-chancellors of public universities on a rotational basis.

Government appeal for the World Bank assistance to finance university expansion seems to have been instrumental in restoring some of the functions of

CHE especially in matters regarding to planning. The World Bank, certainly dissatisfied with the haphazard growth of higher education, insisted on rational planning and management as one of the conditions for the provision of funding to public universities. Under a committee of CHE, each public university was to prepare a consolidated development plan reflecting the mission of the institution and financial management. Most public universities cooperated with CHE in developing their plans.

Government–University Relations

As stated in the introductory section, university autonomy and academic freedom very much depend on the prevailing political system, since democracy by its nature guarantees autonomy, while authoritarian form of political organisation denies the concepts of autonomy and academic freedom. A brief discussion of the history of the state of the political system in Kenya will assist in understanding the nature of these concepts in relation to the political culture of the country.

Contrary to conventional wisdom, Kenya has been engulfed in political crisis since independence from Britain in 1963. The seeds of a seemingly autocratic presidency were sown in 1964 when the minority opposition party, the Kenya African Democratic Union (KADU) voluntarily dissolved itself and joined the Kenya African National Union (KANU). The merger made Kenya a de facto one party state. Although the independent constitution provided for a parliamentary democracy, in the absence of an opposition political party, the government quickly created a highly centralised, authoritarian state (Gillies & Makau wa Mutua, 1993). Attempts to create new parties like the Kenya Peoples Union (KPU) were violently resisted. The KPU, formed in 1966, was banned in 1969, following an anti-government demonstration in Kisumu in which scores of people were killed by the security. The government took some steps to silence dissent. To legalise repression, it passed the Preservation of the Public Security Act, the detention law.

With the end of an official opposition, the presidency amassed enormous power and created a personality cult comparable to that of most feudal monarchs. Any outspoken members of parliament were silenced reducing that institution into a rubber-stamp of government policies. The press, which was owned or controlled by the government, often repeated the official doctrine without commentary. Trade unions were placed under government control; real or self-imposed censorship extended to virtually all sectors of society (Gillies & Makau wa Mutua, 1993, p. 12).

By the time the founding 'father of the nation (Mzee Jomo Kenyatta)' died, in August 1978, he had crafted a highly authoritarian one party state. The new President assumed the presidency almost immediately and to win support from the people, he released all political prisoners and detainees. He, however, continued the repressive style of leadership already established, by becoming intolerant to dissent. In September 1979, he ordered the expulsion of student leaders and the closure of the University of Nairobi after students criticised the government's decision to bar former opposition leaders from contesting the

general elections. This was followed in 1980 by the banning of the Academic Staff Union (ASU). To block dissent, which was clamouring for the formation of another political party, the government introduced an amendment to the constitution in parliament in 1982 that made the country a de jure one party state. From there on, the government became increasingly intolerant of dissent and started detaining its critics, who included university teachers. These were accused of teaching subversion.

The increasing intolerance and repression created an atmosphere so that a prodemocracy movement started to take concrete shape. A middle class cadre of lawyers and clergymen, politicians and other professionals started to openly attack the one party state. This movement coupled with international pressure for reform led to the repeal of section 2A of the constitution in December 1991, which led to the registration of opposition political parties and general elections under a multiparty constitution in December 1992. The repeal of the constitution and the holding of multiparty elections, however, did not change the repressive nature of political atmosphere because authoritarian laws, which vested immense power in the presidency, were left intact. Five years after the multiparty elections, the country continues to be governed in the same style as that of the one party era.

This political environment has undoubtedly been inimical to the development of university autonomy and academic freedom. Ironically during the inauguration of the University of Nairobi, Kenyatta assured the university that there would be minimum government interference in the running of the university. He declared:

While never ignoring or betraying the most precious functions of an academic body, this University must gear itself at once and with the constructive zeal to all needs and realities of nation-building. At the same time, any healthy university must be governed more by freedoms than by restraints, for this reason, we have enshrined within the University Act the greatest possible autonomy in terms of organization, teaching and research. If the mind of the nation is to flower through this university then professors and lecturers must be free to teach their subjects faithfully, while students and research workers must feel free to pursue the truth and publish their findings without fear. (Kenyatta, 1970)

This declaration did not reflect the reality of the university at the time. According to the University of Nairobi Act and acts which established other public universities, these institutions are supposed to be autonomous. Although to some extent the universities have enjoyed some degree of autonomy in student admission and staff recruitment, government involvement in their running is routine. For all the public universities, the President of Kenya is the Chancellor. While this relationship could afford unique access by the university management to the executive arm of the government, it has commonly been used as a pretext for intervention by the president in university affairs often without consultation either with the ministry responsible for university affairs or with the university itself. Many of his interventions have put universities in the intolerable position of being dictated to or interfered with by their own titular

head, acting not in terms of authority conferred by the university statutes, but by virtue of his presidential power (Coombe, 1991). As Kwapong (1992) has aptly stated:

Dr Nkrumah set the fateful precedent to his African heads of state in 1960s and their successors when he identified the office of Chancellor of three universities of Ghana with the office of head of state, a precedent which has been faithfully followed almost throughout the last 30 years. With benign heads of state and in good times, the universities have enjoyed satisfactory relations with their governments; under, say, an Amin or a Samuel Doe, however, it has been quite another story. The fatal consequences for the health of universities in such countries represent a sorry chapter in the story of African higher education that is clear for all to see.

The Chancellor also appoints and dismisses Vice-Chancellors who in a majority of cases are not necessarily the most able administratively and academically, but those deemed to be politically loyal to the establishment from within the ranks of academic staff. The Chancellor's powers have extended to the appointment of other key university administrators often in violation of the university acts and statutes.

During the field research with academic staff we gauged that many were opposed to the president of the country nominating himself as chancellor of public universities (see Table III). They interpreted such a move as an extension of political dictatorship to university administration. Although it was reckoned that his work as chancellor is enhanced by advisors from government and the university, it was generally felt that he lacked the capacity to preside over affairs of all the public institutions. A few, however, felt that since universities mainly draw their funds from the government his position as chancellor is justified. In suggesting an alternative mechanism for appointing the chancellor, the Nigerian pattern where the appointment of respected citizens, was recommended. But even in such a situation, the device of the head of state acting as a visitor has been incorporated into the practice and system of government university relations, enabling the 'visitor' to intervene directly through visitations. The effect therefore remains the same (Kwapong, 1992).

Although a few of the respondents also felt that due to heavy university reliance on government funding, the chancellor should continue appointing vice-chancellors, many as shown in Table II were opposed to this practice. As it was stated:

Most of these appointments are political rewards and hence have no relation to university needs of teaching, training and research. These political appointees are answerable to nobody other than the chancellor. For example now, a V.C. is not answerable even to council. An organization can collapse or run down due to mismanagement of resources and council is powerless to act accordingly.

The overwhelming view is that the university community should be given the opportunity to select its own vice-chancellor and his deputies as indicated in Table II. It was generally felt that the position of vice-chancellor has been too politicised, 'when we have people appearing for the Chancellor who is a

politician then the mission of the university is thrown out or it is compromised for political whims ...'. Appointment of the Vice-Chancellor by the Chancellor was also decried as having been the major cause of the chaotic state in which public universities find themselves. It creates a situation in which he interferes with the running of university education in every aspect.

The specific mechanisms for selection of vice-chancellors and their deputies varied from election by the entire members of the university community, through advertisements by council, election by senate and related organs. As one of the respondents observed:

This should be done in a way that the university Community can participate in selecting a strong and reputable person academically and administratively. A person who is well known to staff. The selected person must come from the university community. He/she must be a senior member of staff with experience in administration. Must have been chairperson, dean and must have sound academic background. We have seen universities going astray with administrators who struggle to learn on the job.

There was however, a prevailing view especially by senior academics that not all academicians who are outstanding scholars can make effective administrators. Selection by voting was feared to create an electioneering situation that could seriously harm the academic and research mission of the institution. To curb such a situation, the main opinion especially from senior academics was election by senate from its respectable members.

Some people could be nice professionals but lack administrative experience. For the academic stability of the institutions, administrative experience is quite crucial. Appointment be initiated by senate, with a short list recommended to the chancellor vetted by the university council on the basis of excellence. The second approach could be through voting by the entire university. But this could fan a kind of political electioneering where junior members of staff like tutorial fellows and the likes through populist tactics will be elected as VCs. We need to avoid the kind of scenario that recently happened in the Faculty of Law at the University of Nairobi where a tutorial fellow was elected dean of the faculty.

The government also nominates most members of the university councils. While academic staff and students representatives to councils are usually elected by their respective constituencies, key members of the councils, such as the chairman, his/her deputy, the minister for education, permanent secretaries of ministries dealing with universities are nominated by the chancellor. In all the public universities more than 60% of the council members are nominees of the chancellor or some kind of nominees by him.

Under this system of appointing Council members, it has often turned out that government's views become particularly dominant in Council deliberations and it easily steers university affairs in the government's favour with full protection of the law.

In our field research we found strong criticism against the composition of the university councils which are heavily weighted in favour of government

appointees. At Kenyatta university it was established that the provision to elect council representatives from senate and other members from the university community has not taken place in the lives of several university councils. Most have been nominated by the university administration which has made government representation even stronger. Criticisms of council representation was not just limited to the numbers but also to whether many are really familiar with university affairs. Many of the government nominees were seen as stooges or persons who were ignorant of university management and since council is expected to be the supreme governing body of the university, it has heavily contributed to the decline in the quality of university education.

This system of university council governance has seriously undermined public universities autonomy and academic freedom. The government has on many occasions used the councils to order university closures, implementation of government directives in the number of students to be admitted, terms and conditions of service for university staff, teaching and travel agendas and by requiring them to obtain official research and travel authority. Academic staff have been victimised and marked down even within the universities for exercising their freedom of association, freedom of speech and for criticising university policies or powerful individuals within the universities. With increasing repression in the political system, a situation developed where any form of critical analysis from staff and students in the universities was equated with a preference for 'foreign ideologies', which was taken to mean marxism or communism. The reprisals against people thought to be involved in such subversive activities have been serious. These have included police harassment, denial of official clearance, denial of promotions and withdrawal of passports to prevent them to travel outside the country. Such punitive measures and threats have stifled academic freedom which is the basis for intellectual production (Nkinyangi, 1983, p. 212).

The government use of the university council to suppress academic freedom and university autonomy was at the back of the minds of many academics when they proposed that council members and top university administrators should be elected by academic staff. As shown in Table II, 50% proposed election of council members while 34.9% were of the view that senate should nominate such members.

Although not really pressing for more representation by the university community to councils, many academic staff, 50% advocated for the need for a balance between government appointees and university representatives as shown in Table III. At the same time, the university should have more say on government nominees to council:

There is a need for a balance because decisions of council affect us directly. For example the issue of salary needs more university staff to be in council so that they push it through. Again university should have a say on who should sit in council. Persons deserving such positions should have distinguished careers in universities, the civil service and the private sector.

The emphasis seemed to be on members of the university councils who would represent different interests of the larger society, but at the same time have a

wealth of experience in university affairs so as to assist universities in mapping out their priorities especially in generating funds outside government grants.

Method of appointment	University administrators		Council members	
	No.	%	No.	%
Nominated by the chancellor	5	4.0	15	11.9
Nominated by council	8	6.3	-	-
Nominated by senate	33	26.3	44	34.9
Elected by academic staff	71	56.3	63	50.0
No specific recommendation	9	7.1	4	3.2
Total	126	100.00	126	100.00

Table II. Appointment of top university administrators and council members.

Ways of improving government/university relations	No.	%*
Government refrains from interfering with running of universities	89	70.6
University administrators should not be government appointees	75	59.5
Government improves university staff, salaries, working conditions and welfare	72	57.1
Head of state should not be chancellor of public universities	69	54.7
Balancing government university representatives on management bodies	63	50.0
Universities should not be run through government security agents	54	42.8
Increased government funding to universities	47	37.3
Planned university expansion instead of political decisions	46	36.5
Government/university management bodies ought to be transparent	31	24.6
Establish forums for increased dialogue between government and university	28	22.2

* Percentages do not add up to 100% and $n = 126$.

Table III. Some ways of improving government/university relations.

In proposing ways to improve university government relationships, a wide diversity of suggestions were made by the academic staff. Among the main suggestions as shown in Table III is that government should refrain from interference in the running of universities for academic freedom and autonomy to prevail, 70% of the staff expressed this view. In that context top university administrators such as vice-chancellors, their deputies and members of council should not be presidential appointees (59.5%). This it was argued would

depoliticise decision-making in universities and give these institutions the opportunity to acquire more autonomy.

Another key proposal for improving University Government relations was tied to the need for the government to increase academic staff salaries and address their poor working conditions and general welfare. The popular view was that in the light of long-standing poor government–university relations, the government lacked the political will to address issues of academic staff welfare. This seems to be the core of the problem and not lack of funds or economic problems arising from the Structural Adjustment Programmes. If lack of funds were the issue, it was stated, how does one explain high salaries for senior government officers and members of parliament, many among the latter group who lack the basic qualifications for employment as clerical officers on the current labour market? There was also the proposal that the government should increase its funding to universities to enable these institutions acquire basic teaching facilities and improve the quality of education.

University Management

There is increasing evidence that the internal management of public universities in Kenya is in a state of crisis and decay. The following statement by Kwapong (1992) applies to most of the Kenyan public universities:

The system of university governance is now well established with its components of chancellor, university council, vice-chancellor, senate ... staff and students. It is one thing to preserve the form and style of these components of the system; it is another thing to ensure that they fulfil the spirit of their mandates. Mamoudou Toure's words in this regard are illuminating: 'A deplorable and dangerous evolution is currently taking place in Africa: Institutions, whether political or administrative are being emptied of their substance, their statutes are ignored and their governing rules are side-stepped. Even when these institutions are endowed with sufficient, capable people, they end up being paralysed, voluntarily or not, by the tendency to overlook their roles and functions and they become facade of window-dressing institutions.'

On the appointment of new administrations in most of the public universities, they quickly surround themselves with intellectual supporters who help them to identify the administrations' enemies real or imagined for frustration. In violation of university statutes they establish a 'top-down' model of decision making. In a very candid statement, a deputy vice-chancellor in one of the public universities recently noted that the lack of administrative culture in the public universities has led to among the following characteristics in the administration.

- Concentration of real decisions in the office of the vice-chancellors to the extent that in either their presence or absence the deputy vice-chancellors act like bats.
- Relegation of the deputy vice-chancellors as subordinate or sycophantic advisors to the vice-chancellors.

- Technician type of management. That is one man style of management or autocratic leadership. This is the situation where the chief executives claim to know everything.
- Management by withholding and controlling information from others. This is an out-of-date management style which is still in practice in public universities. (Maritim, 1996, p. 22-23)

The autocrat style of leadership displayed by most of the vice-chancellors is also summed up as follows in reference to Kenyatta University by a senior academic member:

The tendency for vice-chancellors to monopolise all aspects of decision-making has now been perfected in the creation of a board for the Kenyatta University public, from the Vice-Chancellors Management Board whose powers seem too wide and are now gradually eroding the powers of senate on a number of critical areas. In Kenyatta University, for example, senate is used for routine matters like approval of examination results. The terms and conditions of service document is no longer respected. Issues like sabbatical and study leave may be granted depending on the chairman (Vice-Chancellor) of the Boards views about the applicant.

In all public universities a management board has been established to assist the vice-chancellor in the running of the universities. In some of the universities functions and composition of the boards are stipulated in the statutes while in others the boards are not constitutionally sanctioned and are handpicked by the vice-chancellor to ratify his/her personal decisions on the management of the university. In one of the universities, this management board is so much dreaded because of its unpopular decisions that it has been nicknamed the 'Mafia Board'. The popular view in most of the universities is that the management boards have usurped the functions and powers of senate in the running of universities. This is, however, not assumed to be the case in all the universities as seen by one vice-chancellor:

There was a need to set up a management board to bring all the bodies together. Ours being a very large university with a number of colleges and various organs, the management board was absolutely necessary. In our case (Nairobi) the board is a committee of council and it does not usurp powers of senate and there is also no conflict of interests. Matters which pertain to senate are always referred to it (senate).

This seems to be an exception because such a position did not appear to be widely supported. In our field research we established that senates as supreme academic bodies do not function as stipulated in the university acts. They routinely discuss new course programmes and approve examination results. Occasionally when there is a student crisis, senate is convened to sanction the chairman's (vice-chancellor) decision. The erosion of senate powers has largely to do with its composition. A majority of senate representatives are departmental heads and directors of institutes who are appointees of the vice-chancellor. Aware that their appointment is dependent on the vice-chancellor's goodwill, these administrators tend to be more accountable to him. In some universities

the tendency is towards appointing relatively junior staff as departmental heads and rewarding full professors with dubious administrative positions in order to have full control of senate. As one dean explained:

Senate was craftily manipulated to omit associate professors who would have increased voices of reason in its deliberations. This is evident with University of Nairobi where associate professors are members of senate. Deliberations in that particular senate are quite mature. Appointment of full professors who are senate members by right to administrative positions, negates their independence and this has been cunningly done by the current vice-chancellor. Because such professors fear losing their administrative positions, they hardly discuss anything substantive in senate. The Vice-Chancellor has also appointed junior academic staff as heads, who approve anything he wants in senate. He also made sure that his management board usurped powers of the senate executive committee.

With such mediocre composition of senate members the following description vividly depicts the quality of senate deliberations in most public universities:

The internal university structure is a real obstacle to academic freedom. Beginning at the top one only needs to participate in senate discussions to see the high level of intellectual fraud and academic dishonesty as well as how mediocre reasoning triumphs over rational thinking in the public universities. While universities lack basic educational facilities, millions of shillings are often spent to host senate members in expensive hotels, hold luncheons, organize graduation jamborees, welcome the chancellor, furnishing the vice-chancellor's offices and others. Very little meaningful discussions usually take place in senates due to the autocratic nature of the vice-chancellors. (Ibonvbere, 1993)

An interesting point that was emphasised during the field research was that although universities teach about democracy and are quite vocal about the need for popular participation in decision making, universities' administrative structure and key policy making bodies are most undemocratic. This is particularly the case with the university councils and senate where 80% of the academic staff expressed the view that the two bodies are quite unrepresentative.

Under such senates, are the faculty boards and individual departments that are expected to be responsible for academic and administrative affairs of the university. In most of the public universities only the dean's position is elective. From our field research, in most of the universities, faculty boards hardly meet. And when they meet they routinely approve examination marks. In some of the faculties, board meetings have been substituted with meetings of departmental heads and full professors in the faculty. A provision for this kind of meeting does not exist in the university statutes. They were however defended by deans as the only convenient way of managing faculty affairs. It was pointed out that there was apathy in attending regular faculty board meetings because of their preoccupation with examinations and course programmes. Matters relating to staff welfare, terms and conditions of service do not feature in these meetings as well as in senates. In this regard, faculties in many of the universities have little or no influence in decision-making in running of universities except to

administer examinations. They are equally powerless like senate although deans are elective posts.

At the departmental level, although there was evidence that regular staff meetings are held in many departments, they also tend to centre mainly examinations and course programmes. Staff welfare matters may be discussed occasionally but cannot find its way in the mainstream of the university administrative structure because, as already discussed, other organs have been rendered powerless due to autocratic rule instituted by most vice-chancellors. It should also be pointed out that the institution of heads of departments and directors of institutes who are appointees of the vice-chancellor have been known to suppress participatory decision making at the departmental level and tend to ignore the views of academic staff if these are seen to conflict with those of the administration. They also victimise members of staff with whom they have differences. In many cases such disagreements have evolved around the holding of contrary opinions on academic or administrative matters.

Tables IV to VII portray the state of staff participation in decision-making process at the department and faculty levels. From these tables it is apparent that departmental and faculty meetings are held occasionally, (Table IV) 47.6% and 64.3% respectively.

Frequency of departmental meetings and faculty boards	Departmental meetings		Faculty boards	
	No.	%	No.	%
Frequently	54	42.9	23	18.3
Occasionally	60	47.6	81	64.2
Rarely	10	7.9	16	12.7
Never	4	1.6	6	4.8
Total	126	100.00	126	100.00

Table IV. Frequency of departmental meetings and faculty board.

It was stated that these occasional meetings are often convened to deal with teaching schedules especially at the departmental level when semesters are about to start, and again around the time examinations are due to be held, to organise for their invigilation and marking. Faculty, board meeting are convened to approve examination results and where quorums are not realised, the dean and departmental heads approve such results on behalf of the faculty board.

As shown in Table V, departmental and board meetings are mainly pre-occupied with academic matters which include discussing course programmes, teaching schedules and examination. At the departmental and faculty levels academic matters occupy 91.3% and 82.5% respectively. Staff welfare issues hardly feature in these meetings. It is also apparent from Table VI that departmental heads and deans are the ones who determine the agenda of these meetings. This is quite understandable since they are both under immense pressures from the vice-chancellor through senate to ensure that nothing

interferes with the running of academic programmes, especially examinations which are viewed as being quite a sensitive area in the operation of public universities

Dominant issues discussed in meetings	Departmental meetings		Faculty boards	
	No.	%	No.	%
Academic matters	115	91.2	104	82.6
Staff welfare	6	4.8	10	7.9
A combination of academic matters and staff welfare	1	0.8	2	1.6
No specific information	4	3.2	10	7.9
Total	126	100	126	100.00

Table V. Dominant issues discussed in department meetings and faculty boards.

Setting agenda for meetings	Departmental meetings		Faculty boards	
	No.	%	No.	%
Chairman/Dean	79	62.7	67	53.1
Chairman/Dean in consultation	40	31.7	32	25.4
No specific information	7	5.6	27	21.5
Total	126	100.00	126	100.00

Table VI. How agenda for departmental meetings and faculty boards is determined.

In Table VII, it is apparent that most of the academic, staff 64.3% at the departmental level and 69.8% at the faculty, receive communication about key issues concerning the university through circulars. Of the academic staff at the departmental level and faculty 34.9% and 23.8% respectively said that such information comes through meetings; this equally applies to information from top university administrators. The academic staff also pointed out that important decisions regarding opening and closures of universities are often communicated through the press, particularly openings and closures following student disturbances.

It can therefore be concluded that most academic staff in public universities hardly participate in decision-making. Governance of universities seems to centre around the person of the vice-chancellors, appointees of the chancellor with their senates which largely consist of hand-picked chairman of departments and directors of institutes. The office of the faculty deans which is normally elective can hardly have impact on the autocratic system of university administration that

has been put in place by most vice-chancellors. Fearful of the possible dangers that are likely to occur by running more open administrative structures that entail consultation and discussion, top university administrators seem to direct staff and student energies towards academic work, particularly examinations that are held frequently throughout the academic year. University examinations have become the main preoccupation of the university communities and have indeed assumed an image of a factory. By prodding both students and academic staff to concentrate on academic matters, meaning examinations, vice-chancellors of public universities have at times succeeded in giving their campuses some semblance of tranquillity. They also direct most of university resources at examination related activities

Nature of communication	Departmental level		Faculty level		University administration	
	No.	%	No.	%	No.	%
Circulars	81	64.3	88	69.8	118	93.6
Meetings	44	34.9	30	23.8	4	3.2
Circulars and meetings	1	0.8	3	2.4	4	3.2
No specific information	-	-	5	4.0	-	-
Total	126	100.00	126	100.00	126	100.00

Table VII. Communication in departmental faculty and university levels.

As a result of this state of affairs existing at most of the public universities, many academic staff were critical of appointing departmental heads and directors of institutes by the vice-chancellors and the domination of senate by these appointees. As shown in Table VIII, many of the academic staff advocated for election of persons to these positions by the academic staff and students.

The autocratic administrative structure instituted by most vice-chancellors is often strengthened through collaboration with state security agents. There have been cases of academics working for the state security, the Special Branch, with the sole purpose of spying and reporting on their colleagues. The co-option of members of the university community by the state security and other government agencies has been made easier by the fact that the material conditions of the African intellectuals have deteriorated so much that none is left (Mwiria, 1996).

In many cases the academic staff have allowed themselves to be an extension of the government, not only in working for the Special Branch, but also in being drafted by illiterate and semi-literate politicians into government appointments. In search of appointments, academicians dance around the politicians and allow themselves to be used to intellectualise the rampant corruption and mismanagement within the government. A typical example of this was around the 1992 general elections, when a good section of academics circulated a lot of lies and propaganda about the achievements of the ruling party, KANU, opposed multi-partyism and formed several pressure groups to

campaign for the president. These included, 'YK 1992', 'Academics for Moi', 'Toroitch the Year 2000' and several others

Nature of appointment	Departmental heads		Senate members	
	No.	%	No.	%
Nominated by vice-chancellor	25	19.8	17	13.6
Nominated by council	2	1.6	5	3.9
Nominated by senate	23	18.3	-	-
Elected by academic staff and students	69	54.7	88	69.8
No specific recommendation	7	5.6	16	12.7
Total	126	100.00	126	100.00

Table VIII. Appointment of departmental heads and senate members.

Ways of establishing effective management	No. of mentions	% of mentions
Appointment of qualified and experienced top university management staff	77	61.7*
Review of university acts and statutes	65	51.5
Abolish management boards	51	40.4
Vice-chancellors should avoid one-man rule	49	38.8
Fewer bodies and committees to run universities	41	32.5
Vice-chancellors be accountable to the university communities	37	29.3
Vice-chancellors should not run their institutions through informers	34	26.9
Universities control student admissions and employment of staff	32	25.3
Democratise decision-making process in universities	27	21.4

* Percentages do not add up to 100% and $n = 126$.

Table IX. Some ways of establishing effective management of universities.

To reciprocate, the establishment normally pays them very handsomely in cash rewards and with government appointments as ministers, advisers, permanent secretaries, commissioner and directors to boards of scores of useless inefficient and corruption ridden parastatals which the government has resisted IMF and World Bank pressures to privatise lest it loses opportunities for political patronage. The issue is not that such corporations are inefficient, but these

appointments are usually accompanied with free cars, free petrol, free housing and other perks of the office including the opportunity to award very lucrative contracts and make other important contacts.

The academic staff suggested various ways of establishing an effective management of universities. It was felt that to improve decision-making in universities only qualified and experienced persons should be appointed to the top management positions. (61.1%) as shown in Table IX. Existing Universities Acts and statutes were criticised for promoting autocratic rule because they were formulated during the time, the ruling party KANU enjoyed a one party dictatorship. It was recommended that the Acts and statutes should be reviewed with a view to democratising decision-making in the universities. The revision of these important organs will curb the autocratic rule of most Vice-Chancellors. Universities should also be left to control the admission of students and employment of teaching staff without external influence.

Some Effects of Politicised University Governance

As discussed in the previous sections of the study, university rapid expansion, the implementation of the 8-4-4 education system and the double intake of students all resulted from decisions made at the highest political level. Faced with seemingly insurmountable myriad problems, the increasing politicisation of education tends to reflect the desperate hope political leaders have placed in the school as a solution of some of the problems facing society. The promotion of educational opportunities offers some promise in tackling societal issues. At the centre of such political decisions is the competition between qualitative improvement and quantitative expansion of the educational system. Comparatively expansion has far more political clout since it is tangible while quality tends to be more abstract. Expansion, unlike educational quality, has an important symbolic appeal indicative of the government efforts to improve the condition of the common man (Hughes & Mwiria, 1990, p. 232).

The educational system is said to play a critical role in the legitimisation of the rules governing the distribution of rewards in the Kenyan society. It has been broadly accepted that the education system is the mechanism that permits some people from society's lower ranks, access to positions of privilege. Because the distribution of the opportunity for secondary and tertiary education is tantamount to distribution of future economic and status benefits, the acceptance of the validity by which the educational system sanctions and subsequently allocates access to educational opportunity is critical (Court & Ghai, 1984). Even though university access remains limited, to increase enrolment is an important symbolic act that does much to reaffirm the fundamental justice of the system. Not only has university expansion access perpetuated the illusion of equity but also helped to prevent higher education from becoming the domain of the privileged. In a comparison of the family background of university students from 1958, 1968, 1975 and 1983, it appears that equity of access is an important benefit of educational expansion. The backgrounds of more recent graduates, although still disproportionately weighted in favour of the children of the advantaged, have come to more closely resemble the characteristics of Kenya's

total population. The rapid growth of the early 1970s has, it seems, helped to broaden access to university education (Hughes, 1987).

By rapid university expansion and increased enrolment of students, Kenya seems to have embarked on a course that represents a fundamental philosophical shift within its educational system. University education is breaking from its 'elitist' tradition. In its place a 'populist' system that may be far more consistent with the style and flavour of the Kenya political leadership. Because the government seems to view access to higher education as a means of restructuring the Kenyan society and eliminating the identification of class and ethnic community with economic function, higher education has been characterised by a proliferation of universities and university colleges and rapidly expanding student numbers. This trend, as already seen, appears to have set a stage in which university expansion has become virtually uncontrollable. The pace of expansion coupled with increasing decline in the quality of education as well as mounting unemployment is beginning to make public university education less and less attractive. Some students especially from well-to-do backgrounds are opting for private universities or seeking university education abroad.

University expansion has been achieved with many negative effects. The most obvious is the financial cost. Currently about 40% of the national budget is committed to education with a higher proportion going to university education. Since 1983-84, the recurrent budget for higher education increased over one and half times shooting even higher in 1987-88, with the double intake of students. The money required to subsidise the growth of higher education must be diverted from other important development efforts. In fact in education alone there has been considerable concern with the gradual reallocation of public financial resources away from primary towards tertiary education. In the 1980s for example, 60% of the recurrent budget in education went to primary education and 14% went to secondary and university levels. But as tertiary education expanded the university budget grew to claim 20% of the total education budget in 1990/91 with a corresponding rise in development expenditure. This increase has been to the detriment of primary education, which now receives only about 50% share of the budget (Government of Kenya & Unicef, 1992). As a result, parents and communities have been forced to assume greater responsibility for financing primary education. Although the response has been on the whole positive, with parents and communities undertaking the construction of physical facilities and the provision of learning materials, studies are beginning to show that the burden of cost-sharing has been too heavy on some parents and communities in the semi-arid areas where income per capita is very low (Noor Mohammed & Opondo, 1998).

The increased university enrolments certainly relieved some pressures applied by qualified university applicants for whom there would otherwise be no space. But such a strategy simply exchanged one kind of pressure for another kind of pressure. Kenyan university graduates have emerged in an economy that has created high-level jobs at a rate insufficient to adequately absorb them. Several studies have documented the saturation of the labour market for university graduates (Hughes, 1987). Furthermore, the declining standards tend to diminish the screening effect of university education. If one of the purposes of

higher education is the production of qualified human resources for the economy, then it is essential that employers' perceptions of the graduates are examined, namely, the need to listen to the voice of the labour market in accepting the products of the system (Barnett, 1992). Where relatively few obtain many years of schooling, employers tend to use years of education as a means of sorting out more from the less productive or potentially productive workers. As it has been observed, when the proportion of university attendees grows such that merely passing through the college attendance screen no longer guarantees high productivity on the job, employers begin resorting to quality of schools attended as a far more refined sieve or sorting device (Solomon, 1987, p. 57). Although research in this area is still thin, there have been complaints where employers differentiate between the specific universities or preference for overseas trained graduates to local ones. This is not just confined to the employment sector alone, it applies to admissions to some foreign universities. As a result of the 8-4-4 system, Kenya has gone off the 'international academic gold standard'. Graduates of public universities are viewed with suspicion when applying to overseas universities. In some of the Commonwealth countries, 8-4-4 system applicants for university are compelled to take preparatory university courses before gaining admission.

The issue of deteriorating quality of education in the public universities is a little tricky in this study because it was not thoroughly investigated. However in a previous study examining implications of university expansion, it was indicated that first year examination results at Kenyatta University for years 1986-87 and 1987-88 for example painted a striking picture of the deteriorating quality. It was shown that overall, the proportion of first year students failing, repeating or taking supplementary examinations increased by 57%. Nearly one-third of those students entering Kenyatta University during the double intake of 1987 were in this category (Hughes & Mwiria, 1990, p. 226). The decline in examination performance is partly attributed to the poor quality in educational experience brought about by increased enrolments. Despite the exhortations of the Presidential Working Party that 'the growth in university student enrolment be matched with commensurate provision of appropriate resources to maintain high standards' (Republic of Kenya, 1988, p. 139), the reality is quite different. The increase in the numbers of students may also represent a reality of reduction of standards for entry into the university system. The expanded intake involves dipping a little deeper into the cream of the education system. And implicit in the populist philosophy is the view that selection and differentiation are somehow undesirable and dangerously elitist. The underfunding of public universities coupled with rapid expansion driven by the populist philosophy tends to evoke the following impression:

One of the abiding impressions ... is the sense of loss, amounting almost to grief, of some of the most senior professors in the older African universities as they compare the present state of their universities with the vigour optimism and pride which the same institutions displayed twenty or thirty years ago. It is not just the universal regret of age at the passing of youth, not the sad awareness that a generation of unique academic pioneers has almost run its course. It is

also the grim knowledge that the nature of the university experiences today is profoundly different for many teachers and students, so different and so inferior that some wonder whether it can rightly be called university experience at all.
(Coombe, 1991, p. 2)

As already shown in the background section, public universities in Kenya have expanded very rapidly within the past decade or so. The high number of student admission was not matched with the provision of teaching facilities and resources, especially lecture halls and halls of residence. As a result theatres which were meant to accommodate 100 students are now expected to house 10 times this number. It is now a common feature in most of the public universities for students to listen to lectures while standing outside flooded lecture theatres, tutorials are quite rare. This overcrowding is extended in the libraries which house outdated books and journals and also in the residential quarters and dining halls. Attempts to split large classes to enable the lecturer to repeat a lecture three to four times have not worked satisfactorily. Most aspects of the existing facilities and equipment in the universities are in a total decay, broken tables and chairs are in storage and most telephone lines are likely to be out of order. The strain on the facilities and resources is exacerbated by their continuous use throughout the calendar year. Following frequent closures of universities there emerged since the mid-1980s a backlog of students that necessitated a double in-take as already discussed. Since the facilities cannot accommodate extra intakes, let alone the regular intakes, this has meant that various groups of students are forced to complete their semesters at different times within a given academic year. This means that most students' courses take longer than necessary.

The rapid expansion of the universities also had a far reaching effect on the quality of the teaching staff. To recruit academic staff for the public universities, the tendency has been towards relaxing the recruitment and promotion criteria. In practically all the universities, a PhD degree is no longer a requirement for tenure and publications are a less important criteria for judging who should be promoted. Consequently many of the academic staff who in the past would not have qualified for university teaching are now doing so. Moreover, it is no longer possible to attract competent staff from abroad to teach in the public universities. The implementation of the structural adjustment programmes has worsened an already bad situation since the real value of wages can hardly carry a professor for one week.

Students have been very conscious of the deteriorating conditions of their universities and the economic and political situation in the country. The government fully aware of the force they can unleash against it, has devised ways and means of containing them. The most common method has been to terrorise them by use of security forces. Public universities are always in turmoil or are closed following clashes between security forces and students. Many students since the Kenyatta era have served jail sentences for daring to complain or criticise corruption, human rights abuses and mismanagement of universities. In a number of cases some have died in suspicious circumstances, especially student leaders.

To silence the students, the government in collaboration with the universities' administration have attempted to depoliticise them by denying them an umbrella student union for all public universities. Student associations for respective campuses have been created instead. Apart from planting security personnel in the student community, the government has tried to neutralise their militancy by bribing sections of the student body with large sums of money and channelling their activities through the political leadership which is sympathetic to the ruling party and hails from the students' home districts.

Generally manipulation has not succeeded in completely silencing students from voicing their concerns about problems that affect them. They continually complain about reduced allowances, the condition of residential facilities, the declining academic standards, their limited representation in university governing bodies such as the council, senate and other university organs, and poor communication channels with university authorities and the government.

Summary, Conclusions and Suggestions

This study was planned to investigate issues in public university governance that contributed to the rapid expansion of university education and its impact on the quality of education as well as the effect of government involvement in the management of universities. The study established that the socio-economic and political pressures coupled with external policy formulations led to a rapid growth of all levels of the education system following the achievement of independence in 1963.

With regard to university education further expansion started in the early 1980s as a response to the increasing social demand for university education. Such demand was exploited by the political system as a means of squaring issues relating to historical, regional inequality and devaluation of the elitist ethos of the formal education system. It was also seen that an important factor that has influenced large numbers of student admission in public universities is the relatively high frequency of student boycotts of lectures which in most cases are accompanied by government closures of institutions. The 1982 long closure of the university of Nairobi in particular, following a failed coup attempt staged by the Kenya Airforce, was an important contributory factor to 1987/88 double intake of students. The 1990/91 intake was prompted by changes in the education structure, a decision that was more political than educational. The mushrooming of universities is the effect of political decisions as well as problems of internal governance of universities.

The Commission for Higher Education established in 1985 with statutory powers to plan, develop and maintain the quality of university education, was denied this function because of politicisation of decision-making in the expansion of university education. University chancellors also played a role in rendering CHE ineffective due to personal conflicts.

The consequence of unplanned growth of university education without commensurate rise in the level of funding is a sharp decline in the quality of education at the public universities due to acute shortage of facilities and personnel.

Government intervention in university education has not been limited to growth and expansion. The chancellor appoints and dismisses vice-chancellors. He also appoints a majority of council members. This action although justified by the fact the government provides the bulk of funding that runs public universities, has tended to diminish democratisation of decision making in universities since most university administrators choose to run universities with their own appointees who are answerable to them.

All these factors point to a wider aspect of national debate on liberalisation, constitutional restraint and respect for civil liberties. At the university level it has the implications of releasing universities from arbitrary intervention by executive power. The study established that politically motivated decisions on student admissions was a single most damaging influence on the decline of university standards and morale. Legally established institutions like CHE should be left to operate without undue political influences. CHE in particular should be left to plan and maintain the quality of university education in the country. It should rationalise university expansion and student admissions with the government desisting from politicising public demand for more and more university education.

To depoliticise decision making on universities and their management, forums like seminars and conferences need to be initiated with the objective of highlighting state involvement in university education. Such forums would enable political leaders, civil servants and representatives of the university community to examine facts and issues that affect university governance. What seems quite critical is familiarisation and confidence building measures that will assist in defusing suspicion and raise the level of interaction especially if there is prior recognition on both sides that there is need to tackle some issues. Key issues such as state-university relations, statutory provisions and the political culture of university governance should be examined afresh. More importantly the institution of the head of state as chancellor of all public universities with enormous powers to appoint vice-chancellors, other top university administrators and most members of council. Mechanisms need be instituted in which eminent persons in the country with experience in university affairs are appointed as chancellor and given powers to preside over the running of universities without political interference. This is increasingly becoming the practice especially with a new crop of African leaders who are imbued with some democratic ideals.

Apart from state-university relations and statutory issues as we have already discussed, there is much dissatisfaction with the internal structures of university governance and organisation among academic staff as well as university executives. Re-thinking about these structures is of paramount importance. Universities acts and statutes should be reviewed to create a more democratic decision-making process.

As Kenyan universities face a new century which will be dominated by the challenge of how to maintain quality and increase enrolments in a context of financial austerity, the issue of improving management and planning assumes a new and critical position. There is a growing consensus among observers of higher education that maintaining credible systems of higher education depends

upon improved management and planning (Coleman with Court, 1993). There are two aspects to the problem, namely, the institutional planning and the external issue of managing the university system as a whole, which involves relationships with government and ways of raising funds. The overriding issue appears to be that of managing the relationship with government. As already discussed in this study government involvement in the governance of universities has proved to be a major source of friction between it and universities in Kenya. Managing the links between universities and government is a major challenge of the twenty-first century. As has been discussed elsewhere the university administrators should be appointed in consultation between the government and universities. Such administrators are likely to be most effective by 'serving two masters' without causing friction between the two (Mwiria, 1996).

The building of productive external relationship in turn depends in large measure on the success of university reform of internal management, where the planning of individual institutions faces the same pressures as impinge upon the system as a whole. Increasing pressure for greater accountability will stimulate a search for reforms. Instituting the level scope of reform needed will require new levels of managerial effectiveness. It will place a premium on the able leadership of the structures of management and decision-making within the universities.

The most critical challenge facing Kenyan universities in their quest for autonomy and academic freedom is that of finding new ways of meeting the high cost and increasing cost while at the same time maintaining and improving the quality of the education they provide. The unit cost of university education is high (World Bank, 1988). The sector as a whole takes a disproportionately large segment of the overall educational budget, and the equity and political considerations which stress the needs of the primary and secondary levels, leave little scope for increasing the funds available for higher education.

With little or no additional government revenue likely to be available, some imagination will be necessary to mobilise new sources and forms of finance. These may include new sources of finance, more intensive use of existing facilities and more efficient management. It is notable to point out that a good number of the public universities are seriously exploring ways of generating funds and have already embarked on some. Students now pay for their food, lodging and part of tuition fees, mainly from loans provided by HELB. There are also examples of faculties at the public universities which earn revenue through the provision of goods and services, especially in the professional faculties. Possibilities certainly exist for a more intensive application of this kind of cost recovery, but the general experience is that it cannot easily be integrated with teaching and research programmes and if successful tends to be hived off as a commercial activity (Coleman with Court, 1993, p. 57).

Other sources of funding that have been floated include putting to more economic use, university facilities that to the most part are idle especially during the vacations. These could be rented for conferences, tourists, use for evening classes and long vacation studies. Revenue earning activities could also include receiving a greater share of consultancy fees than is currently being done. At present university teachers are viewed ostensibly as full-time employees of their institutions although many take on consultancy work as a way of making ends

meet. There could be a change in policy towards a sharing of these proceeds or release time arrangements of the type which are common in other parts of the world such that they meet the needs of both the institutions and the individual staff member. More sources of funding could include the production of teaching materials especially textbooks and a good number have already been written by local university staff. Organising harambee fund-raising for universities has also been proposed. Although this method was tried previously to generate research funds, so far little is known as to how money raised through the presidential research fund was utilised. Universities and the government could also explore ways for greater involvement of the private sector in the financing of higher education.

In situations of continuing repression, such as has been witnessed in some of the Kenyan public universities and in the country, donor agencies are better placed to offer support to 'persecuted scholars' and contribute to the enlargement of forums for academic discourse. This will go a long way to reinforce autonomy and academic freedom in the universities. Donors can contribute to direct and indirect ways of promoting mechanisms of autonomy and academic freedom through support for rigorous academic seminars, publications, scholarly exchanges, peer reviews and others (Court & Ghai, 1990). Another important area of donor support would be strengthening links between universities in the south, such as exchange of students and staff regional programmes. Also worth exploring through donor support is recruitment of visiting faculty members from some higher education institutions of the north. It has to be remembered that recruitment of relatively large numbers of visiting faculty members by the African universities in the early period of their existence provided some interesting cases and useful reference behaviour in support of autonomy and academic freedom through their teaching and research (Court & Ghai, 1990). Equally important is donor support of staff development programmes of universities. Such assistance would enable graduate students to observe the practice and also the abuse of autonomy and academic freedom in different university settings. This is of crucial importance because since many of the young academic staff trained through public universities have experienced a large measure of repression and autocratic management of higher education institutions, the concepts of university autonomy and academic freedom tend to sound Utopian to them.

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