

## Academic Freedom in Principle and Practice: The Case of Algeria

Malika Rebai Maamri

### Abstract

Academic freedom in Africa has attracted much attention recently, but few examinations of the subject have incorporated Algeria. On many occasions, Algerian President Abdelaziz Bouteflika underlined the crucial role of education and academic institutions in national development, for social transformation, and for the deepening of democracy. The university, he once pointed out, needs to sustain its academic and research endeavors with a view to “meeting social demand for higher learning in an efficient manner and improving the quality of its teaching and research programs.”<sup>1</sup> To reach this goal, additional prestigious national schools specializing in engineering, technology, management, journalism, and political science, to name but a few, had been created in 2009 with the aim of establishing a separate sector of higher education parallel to the universities. The areas of scientific research, technological development, and others have received tremendous financial support from the government. Such results, said the president, will be put to good use in helping the national economy and supporting policies geared towards improving the standard of living of Algerian citizens. However, the state’s efforts frequently conflict with the academic institutions’ policies and their leaders’ private interests, giving rise to encroachments on academic freedom.

The aim of this paper is to show how some Algerian higher education institutions, formed to advance knowledge, maintain the integrity of the research process and organize the professional lives of their researchers. My intent is to reveal this sort of “intellectual pacification” of Algerian academics, and show that the public service that these institutions are established to render, in some cases, do not adequately perform because of infringements to academic freedom. I will particularly focus on the divergent views of academic freedom as both an institutional and individual right. My concern here is the space of freedom and autonomy constricted by education authorities, who not only curtail the students and teachers’ freedom to speak but also their fundamental human rights. As far as the rulers of these institutions are concerned, this freedom in its fullest form becomes a privilege to be earned not by arduous striving for excellence, but by complying with their whims. My advocacy of the university as a place where freedom of speech should reign also resonates with Ronald Barnett’s view of encouraging students to overcome their “fear of freedom.”<sup>2</sup>

Study sustains me, and reason guides me with its light;

I speak what I think and do as I will.

—Voltaire

After the end of the Cold War, Marc Northern, the US advisor to the UN Commission for Human Rights, claimed that the “real division in the world today is between those committed to democracy and liberty and those against.”<sup>3</sup> No one could deny the truth of this claim, but how are liberals to respond to such view?

From a philosophical point of view, liberalism may be said to have its origin in the clash between two fundamental values. The first of these is individual liberty, freedom from arbitrary external constraints in the pursuit of one’s own interests, and in the realization of one’s potential. The second is the equal right of all individuals to such liberty, which implies an equality of respect for all individuals within the structures and practices of society as well as a rejection of arbitrary discrimination against anyone. Liberals, therefore, see democracy as the

most rational safeguard against tyranny and the best way for guaranteeing the equal right of citizens. Given the centrality of rights to liberalism, a critical examination of the concepts of “democracy” and “liberty” requires thus a thorough investigation of the discourse of rights.

There has been considerable debate and divergences of opinion about what the term “rights” means. This word has been used by different groups and thinkers, for different aims, with sometimes opposing definitions, and has given rise to many theories. *The Stanford Encyclopaedia of Philosophy*, for instance, defines “rights” as basic normative rules or “entitlements (not) to perform certain actions or (not) to be in certain states; or entitlements that others (not) perform certain actions or (not) be in certain states.”<sup>4</sup> And despite the diversity of theories of rights, they all start with one premise: Man has rights because rights are a necessary condition for man’s survival *qua* man. Rights, moreover, play a central role in ethics, and are also viewed as the pillars of society and culture. A right is what is due to anyone by just claim. The justification of a claim depends on some tenets recognized and accepted not just by the claimant, but also by society in general.

Rights can be legal, i.e., protected by laws; social, i.e., backed by societal conventions; institutional, i.e., acknowledged and enforced by institutions; they can be negative or positive. A person’s claim right to citizenship, or to education, for instance, is a positive claim right. Negative claim rights, in contrast, are rights one holds against others’ interfering in or trespassing upon one’s life or property in some way. Such examples lead on to the final distinction that political philosopher Peter Jones identifies within the concept of claim rights: rights held *in personam* and rights held *in rem*. The former are rights one holds against some specifically identified duty holder, such as the education authority, while the latter are rights held against no one in particular, but applying to everyone.<sup>5</sup>

Moreover, some rights are fundamental in the sense that without them the core liberal values cannot be achieved. Major religions indeed underline that “all men ... are endowed by their Creator with certain inalienable rights ... among these are life, liberty, and the pursuit of happiness.” Islam for instance, propounds the idea of the entire human race as being one big

family of God. It therefore, transcends all those false impediments of race, ethnicity, status, and wealth, and its principles are those written down in the Universal Declaration of Human Rights. Fundamental to the development of the concept of natural rights is the emergence of the idea of natural human equality, with “natural” being defined as “that which has the same validity everywhere and does not depend upon acceptance.”<sup>6</sup> Natural rights are thus considered to be universal in the sense that all people have and should enjoy them. Natural rights are thereby the rights individuals possess independently of society or polity. Under this definition, natural rights include human rights, civil rights, and moral rights, and are considered beyond the authority of any government or any body to dismiss. This concept of individual rights has been reinforced by innumerable declarations and conventions, such as the Universal Declaration of Human Rights, adopted by the United Nations on December 10, 1948. This “Magna Carta for all humanity” asserts in its preamble that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” Article 5 stipulates that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Article 7 provides for equality of all individuals before the law and equal protection against any discrimination. Article 12 refutes interference in people’s privacy, and guards against attacks upon the individual’s honor and reputation. Finally regarding education, Article 26(2) states that “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.”<sup>7</sup> This view has also been emphasized in the preamble of the Kampala Declaration of Intellectual Freedom and Social Responsibility, which specifies that

The struggle for intellectual freedom is an integral part of the struggle by our people for human rights. Just as the struggle of the African people for democracy is being generalized, so too is the struggle of African intellectuals for intellectual freedom intensifying.<sup>8</sup>

In this sense, academic freedom is a corollary of human rights. It embodies not only human rights but also the broader conception that every member of the academic community, “the

human family,” has the right to freedom of thought, expression, association, and movement. Academic freedom is thus a clear issue of democracy. In any democratic society, civil liberties such as participatory rights, and freedom of expression, association, and assembly are essential for the viability and durability of such a society.

Noteworthy in the history of higher education is also the Lima Declaration on Academic Freedom, which states that “freedom is an essential pre-condition for those educational, research, administrative and service functions with which universities and other institutions of higher education are entrusted.”<sup>9</sup> In Africa, moreover, academic freedom is rooted in the African Charter on Human and People’s Rights. Article 2 of the charter stipulates that “every individual shall be entitled to the enjoyment of the rights and freedom recognized and guaranteed in the present Charter without distinction of ... race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.” Article 9(2) of the same charter highlights the right to expression and dissemination of opinions within the law, and Article 10(1) provides for freedom of association.<sup>10</sup>

Taken together, these various declarations embody the belief that all human beings possess fundamental and equal moral status, enshrined within the concept of inalienable human rights. If individuals are vested with rights that cannot be waived, why is there today an explosion of appeals to rights? What has become of those hard-earned freedoms since the Kampala Declaration?

One plausible answer is that despite globalization and greater contact across nations and cultures, there has been an all too evident closing of minds and hearts and a negation of important human values such as respect for human dignity, human rights, and academic freedom in some educational institutions. Indeed, rather than providing evidence of a communitarian notion of existence, the various restraints in higher education simply curb what we call freedom. From being the privileged and highly respected few of a certain epoch,

intellectuals now have to struggle against a sort of “intellectual pacification” to assert their basic human rights.<sup>11</sup>

The above-cited documents speak in grand terms about the importance of preserving academic freedom, yet they have failed to translate its rhetoric into concrete doctrinal guidance as to what academic freedom truly is, where the limits of such a liberty lie, and how it should be guarded by the board of trustees. To understand the causes of this failure, it is important to answer some crucial questions: what is the role of higher education? What are the functions of the academic profession? And how are they dependent on the exercise of such freedom? Are academic leaders so selected, so organized, and so managed as to fulfill these functions?

### The Role of Higher Education

The role of higher education in society cannot be abstracted from the most basic question: what is the purpose of higher education? In Africa, neo-liberal thinking and ideas have not only reshaped economic and social policies, but institutions and practices as well. Increasingly there is a tendency to approach higher education and public investments in higher education from the economic angle and the preparation of students for the labor market. It is no surprise then that “the logic of the market has ... defined the purposes of universities largely in terms of their role in economic development,”<sup>12</sup> instead of development as a means for extending people’s real freedoms.<sup>13</sup> To define the university enterprise in such terms amounts “to misunderstand[ing] the nature of the enterprise and its potential to deliver social benefit.”<sup>14</sup> While the role of higher education in society must necessarily intersect and effectively engage with the economic and social challenges of national and global contexts, its role cannot be reduced to economic performance or measured in terms of the teaching and research contents, how the institutions undertake these, or their admission policies. The core purposes of higher education reside elsewhere.

Apart from its role to produce, disseminate knowledge, and form and cultivate the cognitive character of students, the second key role of higher education is to contribute to forging a

critical and democratic citizenship. As Martha Nussbaum argues, education is tightly linked to the idea of democratic citizenship, and to the “cultivation of humanity,” which requires students to see themselves “as human beings bound to all other human beings by ties of recognition and concern.” Also necessary is “the ability to think what it might be like to be in the shoes of [others] ... and to understand the emotions and wishes and desires that someone so placed might have.”<sup>15</sup> This argument suggests that liberatory pedagogy requires for its practical and pedagogical implementation a deeper understanding of the profound psychological responses it may invoke in students. Giving precedence to the truly human dimension of learning is thus a fundamental requirement. It contributes to the development of citizens capable of acquiring knowledge as an emancipating adventure and not because these are “things they ought to know.”<sup>16</sup> The authority that enables academics to teach emerges out of the education, knowledge, research, and scholarly experiences that they bring to their field of expertise and classroom teaching. Such authority provides the space and experience in which pedagogy goes beyond providing the conditions for the simple acts of knowing and understanding and includes the cultivation of the very power of self-definition and critical agency. As knowledge alone “cannot define what is potentially ethical within education,”<sup>17</sup> therefore, academic programs along with institutional culture and practices must ensure that ethical questions, the promotion of a democratic ethos and a culture of human rights conducive to critical discourse, cultural tolerance, and a common commitment to a humane, just, non-racist, and non-sexist social order are kept in sharp focus.

In a world where individualism reigns, education should be the route to active democracy. And the school is the place where democracy is learned, the place where students learn to think for themselves and to exist in a society, in order to become part of what Kant calls the majority. The core values of democracy are justice, freedom, and respect for personal autonomy, but for that democracy to work, citizens need to be *predisposed* to use their knowledge and skills democratically.<sup>18</sup> If education is to prepare students for citizenship, it must help them to acquire

the civic virtues or dispositions that citizens require for democratic institutions to flourish.

Henry A. Giroux also stresses how crucial freedom in higher education is to a democracy.

Democracy cannot work if citizens are not autonomous, self-judging, and independent—qualities that are indispensable for students to make vital judgments and choices about participating in and shaping decisions that affect everyday life, institutional reform, and governmental policy. Hence, pedagogy becomes the cornerstone of democracy in that it provides the very foundation for students.<sup>19</sup>

Preparing students for life in a liberal democracy can be a much more challenging and rewarding task than simply preparing them for a life in work. If we imagine a democratic school, both teachers and leaders of an institution should be public servants whose mission is to make possible the citizens' exercise of democracy. Beyond teaching, research, and community engagement related to citizenship and democracy, higher education institutions can, through their own ethos, structures, processes, and practices serve as models for the respect, defense, and promotion of human rights, and of democracy and democratic participation. A modern educational institution, being a cooperative association of teachers, students, and staff, whose aim is to advance knowledge, should thus be thoroughly democratic.

Upon entrance to higher education, students' mode of life has certainly to be regulated for them by the institution's rules; however, they ought to find themselves free to determine the method of their daily life with no more restrictions than the habits and customs that their society necessarily imposes. They ought to find at once a great enlargement of their freedom of choice of their research topics. This is for the student the first element in a just academic freedom. Students have the right, as well, to be free from the imposition of opinions, whether attempted by the teachers or the administration. Likewise, students, who need pecuniary aid or desire to keep their employment to earn their living, ought to find assistance. To give this support is not the precious privilege of parents, but of the professional body as well.

Moreover, the government of a higher education institution is one in which there is no use of force, a generous amount of good will between all members of the academic community,



and, most importantly, the least possible interference with the personal life of the governed. The government of an educational institution is not arbitrary, and must act under rules. It does not permit a perverse individual to injure another individual. Its dealings with the individual are always in the direction of reformation and education. Vengeance and the satisfaction of justice by punishment, unworthy of any intelligent ruler or governor, are absolutely excluded from its discipline. Respect is vital and paid to all. Every institution should exert a strong unifying influence in these respects.

Another purpose of higher education institutions is active engagement with the pressing development needs and challenges of our societies. Educational institutions should serve the nation and participate in the development of the country. This also implies some form of obligation on the part of the academics to give something back to their communities. This is best expressed by the notion of social responsibility.

Also as a rule, to effectively undertake its diverse educational and social purposes, a higher education institution should be the real source of educational policy and progress, and the vitality of any institution is best measured by the activity and esprit de corps of its members, its academic freedom and institutional autonomy. Academic freedom is a tangible right, the privilege of our profession. It presupposes autonomy, freedom for scholars to decide research priorities, to publish their research findings, to participate in research programs; freedom of expression for teachers and students alike as a necessary adjunct for mental development and intellectual creativity. Academic freedom is, moreover, one crucial element of a civil society, conducive for meaningful dissemination of academic knowledge, the implement every society needs in the training of its successive generations. The absence of freedom of expression and academic freedom thus stunts the development of societies, and does not allow nations to effectively build knowledge societies as is the case in Africa.

In the heyday of authoritarianism when single-party states and military regimes were fairly widespread, the risks faced by scholars in Africa were mainly in the form of state harassment, but in the new millennium, the crisis confronting developing countries has taken new forms.

Some educational leaders possess dangerous “constitutional” powers. They have thus made themselves, under “law,” the god of their institutions. Academics are thus exposed to massive transgressions of human rights within their own institutions. Academic freedom is broadly accepted that one of the essentials of a profession is that it must have a code of ethics, but some of these leaders are detrimental to the good name of the profession and the effectiveness of the code. Events of recent years in some African higher education institutions are abundant proof that attacks continue to challenge the scholars’ freedom. The problem is that some of these institutions are not participating in the realization of the nation-building and development projects because some of their leaders have a completely different understanding of the role of higher education. Instead of the idea of the public good and ethical leadership, self-serving ideas based on arrogant power have triumphed. Restrictive legislation, the bureaucratic rules and regulations of higher education institutions themselves, have undermined academic freedom. Education authority has rendered scholars consumers of knowledge only and this incapacitates most African countries to contribute to the global knowledge pool. This danger to liberty is heightened when some of these institutions, disregarding seniority, select the heads of departments or divisions among their close friends or relatives. This has brought upon the academics a new risk in regard to academic freedom. Algeria epitomizes a gross violation of academic freedom and some of her higher education institutions illustrate the intolerance of academic freedom that governments in many African countries have.

### The Reality of Rights in Some Algerian Higher Education Institutions

The issues of academic freedom and human rights have attracted much attention recently. They have been at the centre stage of social and political struggles in North African countries, but few examinations of the subject have incorporated Algeria. My intent in this paper is thus to reveal the “intellectual pacification” of academics in Algeria, and show that infringements to academic freedom prevent Algerian higher education institutions from adequately performing the public

service they are established to render. As far as the rulers of these academic institutions are concerned, this freedom in its fullest form is a privilege to be earned not by arduous striving for excellence, but by complying with their whims.

Algeria spent long years fighting for her freedom from French colonizers, who limited the scope of education for Algerian people. Algerians have thus striven for education not only as an end in itself, but also as a means of survival and resistance against French colonization. In 1962, a new era was ushered in, with great expectations of freedom and democracy. The leaders of the Algerian Revolution recognized from the very beginning the pivotal role education would play in uniting the people and the *Umma* (nation). A comprehensive system of education was instituted to create a patriotic citizenry. The university was not only to provide opportunities for higher education, but also to support and develop Algerian society as an intrinsic part of the national struggle for liberation. But national freedom does not exist in a vacuum. It depends, to a large extent, on the existence of other social freedoms such as independence of thought, a prerequisite for the realization of citizenship and the all-round development of societies, freedom of speech, freedom of assembly, and so forth. The modernization of Algerian society and her integration in the globalization process come with a consciousness on issues of diverse rights: civil, political, and cultural; access to quality scientific teachings; and the rights of women to participate on equal terms with men in the development of the country, as well as the right to information at all levels. This awareness has not left researchers and academics behind, underlying the strong interrelatedness between the quest for civic rights and the struggle for academic freedom.

Now that Algeria gained her long-sought political freedom, her intellectuals are struggling against another form of colonization, one I would label “education autocracy.” After the black decade of terrorism in the 1990s, thousands of Algerian academics left the country and others had been assassinated, but the tyranny of the bureaucracy has given way to another form of terror, workplace terrorism. Here we are now, fighting for freedom of expression, freedom of

thought, freedom of action and knowledge, for our basic human rights. This cripples the development of higher education despite the huge efforts of the Algerian state.

### Abdelaziz Bouteflika's Political Agenda: Re-Framing Higher Education

Since independence, Algeria has undertaken a series of national initiatives for human development whose first objective has been to integrate the Algerians in the new world order. The Algerian state has grown more rapidly since the investiture of Abdelaziz Bouteflika in the 1990s. Huge efforts have been made to provide adequate housing, clean water, electricity, and public health care to disadvantaged communities. A considerable portion of the state's budget has been devoted to the construction and maintenance of adequate roads, bridges, ports, airports, railway roads, dams, and other infrastructure. Additionally, specific measures have been initiated to boost land reform and redistribution. Public works projects have been encouraged to increase employment. More money has also been allocated to education. Concurrently, successive projects designed to achieve a more qualified and autonomous educational system paralleled changes in the Algerian socio-political scenario. Algerian higher education thus gained a new momentum.

On many occasions, the Algerian president underlined the crucial role of academic institutions as key forces for modernization, national development, and the integration of Algeria into the global economy and society. He asserted that the first and most important undertaking for the Algerians is to foster and strengthen the national institutions of the republic. Why are these institutions so central to the task of nation-building? It is clear that for the president, the state and its national institutions can only stimulate and cement national sentiment that already exists. The university, he pointed out in a speech at Ferhat Abbas University, needs to sustain its academic and research endeavors with a view to "meeting social demand for higher learning in an efficient manner and improving the quality of its teaching and research programs." Its progressive approach to promoting democratic values and the free

exchange of ideas within the walls of the institution and among the student body also extended to the overall society in an effort to effect real political and social change. To reach this goal, additional prestigious national schools specializing in engineering, technology, management, journalism, and political science, to name but a few, were created in 2009. The Algerian system of higher education today consists of five groups of higher education institutions: thirty-six universities, fifteen centers, sixteen *écoles nationales supérieures*, five teacher training institutes (*écoles normales supérieures*), and twelve preparatory schools (*écoles préparatoires*). These institutions are all public (as yet, there has been no tradition of private higher education institutions); therefore, tuition is totally free. Although state sponsored, nowadays these institutions are relatively autonomous, being governed by their own councils. Each university offers a wide variety of undergraduate and postgraduate programs whereas the elite institutions (*écoles nationales supérieures*) offer degrees at master and doctoral levels.

Changes also included a huge increase in numbers of students, prompting the building of new universities, and the revitalization of research through the implementation of centers of sciences and technology in the universities. The structure of the academic profession in Algeria has drastically changed in recent years, reflecting the expansion of diversification of higher education. Perhaps the most dramatic change relates to the president's views concerning desirable qualities for academic staff, which have changed significantly since his investiture, reflecting the upward academic movement that has taken place in higher education institutions. The Algerian president has always pointed to the vital importance of staff's keeping in touch with overseas developments. This expansion has been promoted by governmental policies, and entailed significant changes in the size of the profession. Since the last decade, the expansion of staff has been impressive. In the past, and in particular after the significant brain drain caused by the flight of many scholars during the black decade of terrorism, part-time staff had always played an important part in Algerian higher education. However, the number of full-time teachers and researchers has now increased due to governmental scholarships offered to doctoral students for periods up to eighteen months, to write their doctoral theses abroad.

Likewise, areas such as scientific research, technological development, and others have received tremendous financial support from the government. This facilitated a marked growth in specialization and the development of stronger research and graduate and postgraduate study programs. Salary scales for nearly all sectors have considerably risen these last years (in Algeria, one should point out, there has always been parity of salaries between the two sexes). Funds are available for the new departments and new courses, journals, and library subscriptions. In addition, the government accords allowances, though insufficient given the current high rate of inflation, for conference papers. All these developments constitute a substantial innovation in Algerian academic life over the last decade. They have been encouraged and hailed as a great contribution to the spread of quality education. Such results, said the president, will be put to good use in helping the national economy and supporting policies geared towards the improvement of Algerian citizens' standard of living and the development of the country.

However high the aspiration expressed by the Algerian head of state, and despite his tremendous efforts to improve the quality of education in Algeria, a description of Algerian higher education institutions as primarily places of research has little reality. At first glance, higher quality and stricter standards seem to point to a better teaching environment. However, the methods used to achieve standards of quality raise questions. More importantly, the state's efforts frequently conflict with the institutions' policies and their leaders' private interest, giving rise to encroachments on academic freedom. What has occurred over the past years in Algeria is that academics' expertise and authority have been discredited, their autonomy undermined, and their dignity trampled.

### Caesarism and the Politics of the Belly in Academe

In all fields, and in education in particular, democracy needs to develop leaders of high capacity, strong initiative, and genius for cooperative government, leaders who will put forth their utmost powers, not for pecuniary reward, or for the love of domination, but for the joy of

achievement and the satisfaction of rendering good service. Higher education administration is usually, and in main part, administration by a selected expert who has had opportunity to prove his capacity. Like the captain of a boat, or the political ruler, he must have skill, capacity, and knowledge. He must be constructive in his thinking, and he should manifest no desire whatever for arbitrary power over masses of human beings, or for fame or glory. However in Algeria, most often, like in many African states, the “politics of the belly” predominate. As Jean-François Bayart explains, while the phrase refers mainly to food shortages, recurrent in Africa, the term “eating” conveys practices outside gastronomy. Above all, it refers to men in power, to the opening up of social and political possibilities, enabling the holders of power to set themselves up and accumulate money.<sup>20</sup>

An immediate paradox emerges, therefore, from the fact that quite often positions as directors, heads of departments, university councils and commissions, and so forth are given to people who are not the most deserving in terms of academic credentials. In some instances, academic titles and positions become ends in themselves rather than means of service. As soon as they have acceded to the highest office, these rulers start compromising the credibility of their plans for renewal. Some of these higher education authorities are disciplining academics and the students who not comply with the whims of their dictatorial regime. These managers frequently enjoy the support of their hierarchy.

As a result, in some Algerian higher education institutions, the extent of repression and abuse has reached epic proportions. The high level of human rights abuses has had a fundamentally negative impact on academic freedom and has significantly reduced the scope for free inquiry. Governance of these institutions is dominated by rigid concepts of authority with the power structure largely controlled by a few radicals who regard the institutions they lead and the staff as their own property. Accordingly, the academy is not fully meeting its societal responsibilities. The board of trustees is the body on whose experience the securing of academic freedom depends. However, these “sentinels” have everything to learn with regard to academic freedom. They have become the centerpiece of a national campaign to legislate

constraints on academic freedom. Some academic directors are committed to nurturing anti-intellectualism and intolerance, monitoring curricula, and limiting the autonomy of scholars and students as part of their larger assault on academic freedom. The tactics to undermine academic freedom have grown more sophisticated. Some scholars are relentlessly harassed, intimidated, and unfairly graded because they do not comply with the whims of the hierarchy. What the leaders of some of these institutions want above all are subservient people who do as they are told and refrain from questioning or challenging the status quo. Both academics and students have become, in the words of Lynn Cheney's reactionary American Council of Trustees and Alumni, the "barbarians" inside the walls of academia and as such in need of "civilisation."<sup>21</sup> And knowledge has become a tool for domination and "thingification."<sup>22</sup> Students are infantilized and rendered incapable of acquiring any knowledge under the high pressure they are submitted to. They are fragmented and de-fragmented as the need arises. Therefore, whereas the psychoanalyst seeks to stabilize a shattered Self, the disturbance caused by the head of the institution, a so-called pedagogue, leads to "a split between the Self-as-subject and the subject-as-knowledge."<sup>23</sup> Rather than being motivated and equipped to know and respond to the concrete realities of their world, students are kept submerged in a situation in which they have become passive receptacles. This "banking" concept of education dehumanizes the student.<sup>24</sup> The question then is: what exactly is the student going to communicate after such a mutilation process?

The blatant assault on academic freedom in some of these institutions is indicative of the political motivation that drives their leaders' cynical rhetoric. One has to hear these leaders speak in person to fully appreciate the virulent tone and ideological purport of their attack on scholars and students exercising their academic freedom. This relentless war on academic freedom is aimed specifically at discrediting, intimidating, and disciplining alternative ways of thinking. And what is the result of this ideologically polarizing environment? It had led to an attitude that can only be termed one of complete irresponsibility of the trustees. It means that



the members of such institutions feel no obligation whatsoever to criticize views that they know to be false, and, what is even more dramatic, that they know to be morally wrong. In the end, it means that academic freedom itself seems to make it appear to be wrong to oppose the directors who are openly bent on destroying it. The hostility fostered by this stifled atmosphere has escalated to open defiance. How can scholarship flourish in an atmosphere of suspicion and distrust? How can there be any dialogue if academics and students are constantly tormented? How can scholars, who endeavor to live up to the standards established by their profession, be protected?

Not only do some of these academic leaders abuse their power but they also appropriate the educational facilities and resources from which scholars and students have been de facto excluded. With massive recourse to coercion, the leaders' network, flanked by sisters- and brothers-in-law and cousins, and by a whole line-up of other personalities more or less related to them, appropriates most of the resources of the institutions and absorbs the academic arena for their own profits. Academic life becomes a struggle fought out between clans formed by the direction, who rip power out of each other's hands. Pre-eminence depends upon the individual "performance" in this hard world of intrigue. If one takes the argument to extremes, one has to admit that the colossal sums of money snatched from public funds by competing networks make it all the more important for some educational leaders to enrich themselves if they are to affirm their own authority over the other networks. "I chop, you chop" (the promise of a Nigerian party) and "I graze, therefore I am" (the infamous goat saying caricaturized in the *Cameroon Tribune*) are these leaders' ideologies. One could see the emergence of ambivalent relations, as both accomplices and adversaries.

Those opposed to the inner circle find themselves out of favor. In simple terms, if one is not sympathetic to the director's policy, one's chances of getting any promotion or even funds for one's research or for conferences are zero. Indeed, many talented academics, critical of the director's management, have been frustrated out of the institutional system through controversial denial of participation to research projects abroad, arbitrary disciplinary acts,

cancellation of their students' exam grades, and/or non-programmation of their students' exams, and above all through moral harassment. Those who dare speak truth to power are tortured morally. It is under such circumstances that the scholars who refuse to become subservient to the heads may be "put on the spot" for expressing their rights or for other conduct judged displeasing. These victims are not only marginalized or pushed into the background, but more serious still they have become easy targets to be brought down.

Some academics are targeted for belonging to the other sex, for being outspoken, or simply for talking with their students, as a result of which slander spreads out into the institution because the direction sees such acts as lack of commitment to the superiors. The intensity of threats and moral torture have increased to a point where it has become clear that these bosses are prepared to eliminate anyone who does not comply with their rules and for that they are ready to use all means necessary, legal or illegal. These perverse acts are sometimes carried out not by a single tyrant but by a bunch of tyrants. It has indeed become commonplace that some of the academic staff and even some students are "spies" for the directors and are collaborating with the regime of harassment of other academics. Spies from every level and sector of the institution, from all ages and genders, including the students, are being recruited to be the eyes and ears of the directors.

This moral harassment takes the form of "Gang Stalking." What happens during this "Gang Stalking" surveillance is very similar to what happened to many innocent individuals in the former East Germany or activists and dissidents in Russia. This systemic form of control seeks to verify every aspect of a targeted individual's life. The target, here the scholar, is followed around and placed under intrusive and directed surveillance within and outside the classroom. This surveillance also involves following the targets everywhere they go, listening to their conversation, eavesdropping on seminars, writing petitions (whose content is dictated by the boss) on the teachers or others, recording their lectures without permission, monitoring the targets' phones and hacking their e-mails. For these "educational" leaders, it is a necessary

control strategy to maintain tabs on academics and keep track of the kinds of discourse taking place in the academia. This is not only an intellectual corruption but a political corruption as well.

Now why do people participate in this “Gang Stalking”? There are many reasons: some do it for the sense of power that it gives them, or to get a promotion. In the case of student spies, it allows them to get pass marks (the low grades given by the teachers are sometimes raised by the administration). Others are forced or blackmailed by the board of trustees. They are given the choice of spying for the directors versus being sacked from the school. For the students, it is important not to be expelled from the school, like those classmates who dared speak up their minds, and to get a diploma. Others do this as a way to make friends in the board of trustees or simply as a way to keep their jobs. Others are told outright lies and calumnies about the target to get them to go along with ruining the target’s life. The goal is to isolate the targets from all forms of support, making the victims of this harassment vulnerable, tarnishing their reputations and destroying them over time, to compel them to leave the institution. Many actually do not understand or care that the end consequence of this harassment protocol is to destroy an innocent person. For the targets of this harassment, such actions are experienced as an overt psychological and emotional torture. The most dramatic fact is that these victimized scholars are not allowed to retaliate because it would be “unprofessional.” They are sacrificed without consideration by their fellow professionals. Even when it is all evident that injustice has been done both to an individual and to the profession, the academic community is often careful not to overtly offend those in power for fear of the same treatment. This contributes to the perpetuation of a culture of self-censorship.

Some academics moreover are summoned before the staff disciplinary committee for arbitrary reasons. Let us consider the case of that colleague summoned before such committee, on the director’s orders, because she wrote a letter of complaint to the director after he cancelled her students’ exam grades, thus making of the subject she teaches something trivial. The scholar had to answer charges of gross “insubordination,” “negligence” of duty, or so-called

incompetence, though the scholar in question had been recruited by this same director for her competence. As the committee could not justify the validity of the charges, the scholar was sanctioned for having been away, a year before, to give a paper at an international conference, thus missing the final meeting of the school year—an absence that had been authorized by the director orally. The director had then deemed it unnecessary to sign the scholar's written request because, as he pointed out, the absence was justified. In the same institution, there have been arbitrary mass expulsions of students (nearly half the cohort is now out) followed by several staff resignations. Some students were excluded for refusing to sign a petition against their teacher, one concocted by the director and his cronies and dispatched by the co-tyrants. Others were expelled because they were absent for medical reasons. One such student fearing exclusion suffered a whole year from a knee problem. When his doctor prescribed an urgent surgery, he asked for permission to get his operation! Permission was granted by the director, but no sooner did he enter the hospital that there was a notice of his exclusion. The official texts of the Algerian Ministry of Higher Education and Scientific Research make it clear that a student should only be expelled after a certain number of absences during one single semester. But to justify the students' exclusions, the director in question took into account their absences during the past three or four semesters. Given the deteriorating situation and the unjust exclusion of students many academics sought audience with the director, but he refused to meet them. Instead he set up a gang to investigate the disturbances. As a result massive crackdowns were carried out on both academics and students, allegedly for disturbing social order.

The blatant violation of both academics' and students' basic human rights led to widespread protest and criticism of the institution in the newspapers and by the public generally. The effect of this kind of publicity is usually short-lived; for one thing, the highest authorities seem completely indifferent to the plight of both scholars and students. In the case of such violations, they are supposed to protect the victims, but instead, they protect the violator. Indeed, despite some media coverage on the abuses of power and violations of students' and staff's human

rights at the institution, the transgressor has kept his post, dreaming of a higher position because he is strongly protected. He even boasts of being *untouchable*. Concurrently, any form of protest from the students or scholars is met with more repression. Using his administrative power, the boss silences both lecturers and students. Threats or withdrawal of scholarships and/or bonuses are some of the ways in which they are silenced.<sup>25</sup> We thus see the scenario of the “garrison commander,” the professor declaring arrogantly, “I am the Law, and not even the President of the Republic could do anything.”<sup>26</sup> In this context, the concept of Caesarism should be used in its fullest possible sense.

The frustrations caused by such an environment lead “little men and women” to make radical choices: either seize by force that which academia denies them by confronting the “highest of the high” at the cost of their health, or simply surrender and leave the institution. The “highest of the high” are aware of this and take advantage of it. From a scientific perspective, such a form of power can only be labeled pathological. It calls into question the viability of academic integrity, and undermines higher education institutions as public spheres that educate students as critically engaged and responsible citizens in the larger global context.

### Hope in Despair

The disarticulation of African societies, implicit in the paradigm of the yoke, is thus seen in all its vacuity in some Algerian higher education institutions. In this article, I have attempted to review the changing environment in which academic freedom is practiced and examined the new challenges confronting it in some Algerian higher education institutions. In exploring leader-staff relations within the context of higher education, I have outlined some issues that need revisiting with particular regard to questions of ethics in education. The link between ethics and education lies in its advocacy of some tenets of “relationality.” Accordingly, the whole issue of academic freedom should be re-examined.

Before making any claims, the profession has to undercut the proprietary rights held by some higher education trustees. It is essential that they try to come to terms with the concept of

subaltern intellectuals. We should recall that academics are not mere employees. In view of their crucial role in the building of new generations, they deserve more consideration. As academics, moreover, we may follow Voltaire's example of creating a "place from which to speak" away from those who would constrain our freedom to be and to act. Higher education institutions should be places that enable students and teachers to express themselves freely. They should not tell us what to believe or say, but should confer on students and teachers alike the freedom to think and speak but guided, in Voltaire's words, by the light of reason.

My paper is a plea for the Algerian authorities. I am one academic voice, but certainly not the only such voice, that would open the nation's eyes to the consequences of exercising unmitigated power and self-righteous force in academia. Today as yesterday, what is being fought for are our fundamental rights, our right to respect, dignity, free inquiry, and to freedom of expression in our teaching, research, and publication that are fully consistent with the principle of academic freedom and with our president's basic vision. Our situation as academics is peculiarly difficult at this moment. How can we foster constructive and positive thinking in institutions that have come to take up so negative an attitude and with leaders ready to show a ruthless and tenacious opposition because they are in a commanding position? There is something deeply painful about being assumed not to belong, or to have one's belonging snatched away. What sustains us is love for our country, our profession, and our students, hope that one day, someone somewhere will hear our voice, and above all faith in the justice of God. Algerian academics, much like many African scholars, have learnt "To love and bear;/to hope till Hope creates/From its own wreck, the thing it contemplates."<sup>27</sup>

We are calling upon the leaders of the Algerian nation to ponder on the implications of the immoral and unethical behavior prevailing in some of our institutions, which is killing the soul not only of these institutions but especially that of the country. We are calling on them to reverse the re-colonization of Algerian higher education institutions by opposing the mercenary goals that often inspire some directors. Knowledge acquired under such conditions would be

antagonistic to the spirit of progress and scholarly solidarity. We believe that the growth of political democracy depends on promoting intellectual freedom within academia. Attacks on academic freedom by such heads of institutions amount to an assault on democracy itself and diminishes the political legitimacy of open inquiry, creative work, and critical thinking. Invoking academic freedom is crucial for maintaining these institutions as democratic public sphere.

Academic freedom as an ethic of open and free investigation and critical inquiry can add vibrancy and value to democracy. Democracy can only be realized through democratic practices, and, similarly, academic freedom exists in its practice. It is legitimized by and dependent upon its contribution to the enrichment of democratic polity. As such, the very function of higher education should be to enrich the democratic community by exercising academic freedom against the coercion of orthodoxy.<sup>28</sup>

Academic freedom, moreover, is a prerequisite condition for a great society to become a great community, a dynamic society, responsive to changing circumstances, and open to competing perspectives. Therefore, the Algerian people cannot become a great community if the democratic function and obligation of academic freedom is too easily overlooked. Without its democratic form and pragmatic function, a higher education institution squanders the very prospect of scholarly inquiry and intellectual judgment free of institutional constraint.

Let us recall that Article 6(2) of Law no. 90.11 of the Algerian Work Legislation recognizes the right to respect and human dignity of all workers, and so does the Algerian Constitution. Articles 34 and 35 of the constitution, moreover, proscribe all forms of repression and the assault on human integrity. What is needed thus is to re-synthesize a different order or alternative organization of thought and feeling that supplants a ruling orthodoxy. The academic field needs genuinely constructive men and women with a deep sense of personal responsibility for the whole of their society. It needs free educational institutions, producing people who look forward and not backward, people who work for the development of the

country, not its destruction. Algerian academics also need an “Academic Bill of Rights,” laws that protect scholars and students from pedagogical harassment, as well as a stricter legislation that regulates the hiring process of the leaders of our institutions. Concomitantly, an enabling policy framework that encompasses thoughtful state supervision and effective steering are vitally necessary for higher education to realize its social purposes.

*Malika Rebai Maamri is a senior lecturer at the National Postgraduate School of Political Science in Algiers, Algeria.*

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## Notes

- <sup>1</sup> Speech given on opening the national university year for 2009–10 at Ferhat Abbas University, Sétif, Algeria.
- <sup>2</sup> Ronald Barnett, *A Will to Learn: Being a Student in an Age of Uncertainty* (Maidenhead, UK: Open University Press, 2007), 70.
- <sup>3</sup> Marc Northern, "Fledgling Democracies Can Count on U.S. Help," *Maoni Ya Amerika* 53 (April 1992).
- <sup>4</sup> Leif Wenar, "Rights," *Stanford Encyclopaedia of Philosophy* (Fall 2010 Edition), <http://plato.stanford.edu/archives/fall2010/entries/rights/>.
- <sup>5</sup> Peter Jones, *Rights: Issues in Political Theory* (London: Palgrave Macmillan, 1994).
- <sup>6</sup> Aristotle, *Nicomachean Ethics*, trans. W. D. Ross (Kitchener, ON: Batoche Books, 1999), 189. Aristotle's association with natural law is due largely to the interpretation given to his works by Thomas Aquinas. This was based on Aquinas's conflation of natural law and natural right, the latter of which Aristotle posits in Book V of the *Nicomachean Ethics* (Book IV of the *Eudemian Ethics*).
- <sup>7</sup> United Nations, "Universal Declaration of Human Rights," December 10, 1948, <http://www.un.org/en/documents/udhr/>.
- <sup>8</sup> "Kampala Declaration of Intellectual Freedom and Social Responsibility," in *International Education and the University* (UNESCO), ed. James Calleja (London: Jessica Kingsley, 1995).
- <sup>9</sup> See Julius Omozuanubo Ihonvbere, "The State and Academic Freedom in Africa: How African Academics Subvert Academic Freedom," *Journal of Third World Studies* 10, no. 2 (Fall 1993).
- <sup>10</sup> Organization of African Unity, "African Charter on Human and Peoples' Rights," June 27, 1981, <http://www.unhcr.org/refworld/docid/3ae6b3630.html>.
- <sup>11</sup> John Stuart Mill, *On Liberty*, ed. Elizabeth Rapaport (1859; Indianapolis: Hackett, 1978).

<sup>12</sup> Robert M. Berdahl, "Developed Universities and the Developing World: Opportunities and Obligations," in *The Globalization of Higher Education*, ed. Luc E. Weber and James Duderstadt (London: Economica, 2008), 48.

<sup>13</sup> Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press, 1993).

<sup>14</sup> Geoffrey Boulton and Colin Lucas, "What Are Universities For?" occasional paper of the League of European Research Universities (September 2008), 17, [http://www.alem.org.au/uploads/publications/6-What\\_are\\_Universities\\_For\\_Geoffrey\\_Boulton\\_FRS\\_Sir\\_Colin\\_Lucas.pdf](http://www.alem.org.au/uploads/publications/6-What_are_Universities_For_Geoffrey_Boulton_FRS_Sir_Colin_Lucas.pdf).

<sup>15</sup> Martha Nussbaum, "Education for Democratic Citizenship" (Institute of Social Studies Public Lecture Series, The Hague, March 9, 2006).

<sup>16</sup> Sharon Todd, *Learning from the Other: Levinas, Psychoanalysis and Ethical Possibilities in Education* (Albany: State University of New York Press, 2003), 123.

<sup>17</sup> Todd, *Learning from the Other*, 9.

<sup>18</sup> Patricia White, *Civic Virtues and Public Schooling: Educating Citizens for a Democratic Society* (New York: Teachers College Press, 1996).

<sup>19</sup> Henry A. Giroux, "Academic Freedom under Fire: The Case for Critical Pedagogy," *College Literature* 33, no. 4 (Fall 2006): 34.

<sup>20</sup> Jean-François Bayart, *The State in Africa: the Politics of the Belly*, trans. Mary Harper and Christopher and Elizabeth Harrison (New York: Longman, 1993).

<sup>21</sup> American Council of Trustees and Alumni, "Academic Freedom," <http://www.goacta.org/issues/academic-freedom.cfm>.

<sup>22</sup> Aimé Césaire, *Discourse on Colonialism* (Paris: Présence Africaine, 1955), 177.

<sup>23</sup> Cited in Jan Jagodzinski, ed., *Pedagogical Desire: Authority, Seduction, Transference, and the Question of Ethics* (Westport, CT: Bergin & Garvey, 2002), 9.

<sup>24</sup> Paulo Freire, *The Pedagogy of the Oppressed*, trans. Myra Bergman Ramos (New York: Continuum, 1970), 247.

<sup>25</sup> In Algeria, academics of all sectors of education receive bonuses quarterly, about 40% of the gross salary.

<sup>26</sup> This statement seems to have become an African maxim. Professor Isa Mohammed, vice chancellor of the University of Abuja, also used the same words in 1994.

<sup>27</sup> Percy Bysshe Shelley, "Prometheus Unbound," in *The Cambridge Companion to Shelley*, ed. Timothy Morton, (Cambridge: Cambridge University Press, 2006), 4.570–8.

<sup>28</sup> John Dewey, "Academic Freedom," in *John Dewey: The Middle Works, 1899–1924*, ed. Jo Ann Boydston (Carbondale: Southern Illinois University Press, 1976), 2:53.