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## Ghana's retrogressive Public University Bill

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The global coronavirus pandemic has compelled universities around the world to re-examine current forms of teaching and learning, and importantly, to envision a future for higher education that is more equal, more effective and less pervious to shocks. By contrast, in Ghana, a new piece of legislation proposes to set higher education back several decades. It has compelled Ghanaian academics to move to defend basic academic freedoms that have long been taken for granted, even while grappling with the institutional, professional and personal impacts of a global pandemic.

The Constitution of the Fourth Republic of Ghana, in many ways, reflects lessons learnt from the attempts of autocratic and military regimes to impose political control on civil society, including academia. One of the

worst episodes was in 1978 when university students, medical doctors, lawyers and other professional groups expressed their disaffection with the Supreme Military Council government through **a series of general strikes**. The regime responded with harassment and intimidation. For example, doctors, many from the University of Ghana's medical school, were chased out of their official residences by weapon-wielding government-sponsored vigilantes. University students in Ghana, as is true in many other African countries, have historically been a political force and have, consequently, been the target of government aggression. On occasion, **police have been sent onto university campuses** to quell student protests, including recently in 2018.

The 1992 constitution (the third reiteration since Ghana became independent from British colonial rule in 1957) acknowledges this chequered history with an explicit recognition of 'academic freedom', among other fundamental rights, **placing Ghana in a minority of 14 countries on the continent with such a provision**. In spite of this, successive governments have sought to interfere in the running of public universities.

The **Public University Bill** (PUB) attempts a work-around of the provisions in the constitution that bars the president from taking the position of chancellor or appointing officers to institutions of higher education, research or professional training. The PUB seeks to effectively make the president the head of all public universities by having him/her name the chancellor, nominate the chairperson of the university council, and appoint the majority of council members. In addition, the bill allows the president to dissolve council 'in a case of emergency'. This could result in the top administration of universities being suspended during a change-over of government, as happens in many public institutions in the country. Moreover, a sitting president might conceivably manufacture such a crisis for an immediate political end.

Even more inexplicably, clause 47 of the bill states, 'The Minister [of Education] may give directives on matters of policy through the Ghana Tertiary Education Commission to a public university and the public university *shall* comply'. These directives cover a range of activities from research collaborations to the establishment of new academic programs. This clause, together with others, diminish the autonomy and capacity of public universities to respond to changing research priorities, funding opportunities, and student and faculty needs in dynamic national and global contexts.

**The government's justifications of this executive take-over of universities are far from convincing.** The claim that universities are too diverse and that many have 'veered from their core disciplines' does not acknowledge that all changes to university curricula, administration and governance are done within existing laws and are overseen by regulatory institutions such as the National Council for Tertiary Education. The government's second rationale is that universities have evidenced financial improprieties and must, therefore, be better regulated. The idea that public universities would fare better under the direct control of ministries and politicians who are regularly embroiled in corruption scandals is almost farcical. This claim also ignores the existence of the many laws and institutions whose job it is to address instances of financial malpractice in public institutions.

## So what is the PUB really about?

Why has the government persisted in pushing a bill that has been harshly criticised by many in Ghana, including the Ghana Academy of Arts and Sciences, as '**dangerous**', '**retrogressive**', and '**totally unnecessary**'?

The answer is, in a word, control. The PUB is one of many pieces of legislations introduced by the Nana Akufo-Addo administration that would revise the internal governance structures, regulatory structures, and admission processes of educational institutions, and grant the

government unprecedented control over all levels of the educational system.

One possible explanation for the current administration's pursuit of political control of the education system lies in the **free secondary education policy** it hastily introduced in 2017 and that will produce many high school graduates chasing limited spaces in the country's public universities. The bill would allow the government to more easily overcome institutional resistance to the admission of students far in excess of the capacity of public universities. Cynics have also suggested that the government's attempted take-over of universities is partly motivated by the current government's ambition to name the University of Ghana after J.B Danquah, a Ghanaian statesman from the tradition of the governing New Patriotic Party (NPP). Whatever the motivation, the result of this dangerous bill will be to permeate universities with the same hyper-partisanship that is the bane of other public institutions.

That this retrogressive bill is being proposed by an NPP government is unsettling. It was **Professor Albert Adu Boahen**, renowned historian, founding member and one-time presidential flag-bearer of the NPP, who led a fierce, and often lonely, fight against a **'culture of silence'** in the public space, including in academia, under a military government that birthed the current opposition National Democratic Congress (NDC). In an interesting twist, former president and NDC aspirant in this year's general elections, John Mahama, has made a public pledge that, should the bill be passed into law, **he would immediately repeal it** upon assuming office.

Unwilling to have academic freedom be reduced to an expedient political campaign issue, Ghanaian academics have mounted **a vigorous campaign** to have the bill withdrawn by the executive or rejected by parliament.

## What can you do to support the campaign?

Consider adding your signature to **a petition** against the bill that has garnered more than 2,500 signatures from university faculty, administrators, students, and concerned citizens in Ghana and around the world. Also join us in a social media campaign using **#DropthePUB**.

*Please see here for more info on the authors **Nana Akua Anyidoho** and **Akosua Adomako Ampofo***

*Photo credit: Political Science Professor at University of Ghana, Dr. Evans Aggrey-Darkoh gives a class lecture in Accra, Ghana on October 14, 2015. (By Dominic Chavez/World Bank CC BY-NC-ND 2.0)*

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