



The Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics (1990).

PREFACE

The Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics was adopted by delegates from six academic staff associations at the end of the Inaugural Workshop held at Silversands Hotel on 19th April, 1990. The associations were:

Ardhi Institute Staff Assembly (ARISA)

Cooperative College Staff Association (COCOSA)

Institute of Development Management Staff Association (IDMASA)

Institute of Finance Management Staff Assembly (IFMASA)

Sokoine University of Agriculture Staff Association (SUASA)

University of Dar es Salaam Academic Staff Assembly (UDASA)

The Associations are now involved in the process of discussing and ratifying the Declaration. The Declaration will become operative as soon as two-thirds of the founding staff associations ratify it.

The Inaugural Workshop was also attended by observers from many other institutions of higher education where there are as yet no academic staff associations. The Declaration makes provision for autonomous staff and students organisations, other than the founding associations, to accede to it as and when they are formed.

The Workshop formed a Coordinating Committee composed of all the Secretaries of the Staff Associations attending the Inaugural Workshop. The Committee has been charged with assisting and monitoring the process of ratification as well as propose and plan follow-up activities.

Finally, I would like to take this opportunity on behalf of all the participants to thank CODESRIA (Council for the Development of Economic and Social Research in Africa) for providing funds which made the Inaugural Workshop possible.

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University of Dar es Salaam

Dar es Salaam Declaration on Intellectual Freedom

The Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics

PREAMBLE

We are living in momentous times, ridden with crises but full of hope.

The stringent conditions of the international Shylocks have begun to put a squeeze on education in a dramatic fashion. Tanzania, like the rest of the African continent, finds itself entangled in a web of socio-economic crises. As budgetary allocations for education become minuscule, education is threatening to become the preserve of a minority of the wealthy and influential in our society.

The State has become increasingly authoritarian. Authoritarianism is being further reinforced as the crisis-ridden government fails to offer palpable solutions. Witness the increasingly greater, deeper and more frequent encroachments on academic freedom and freedom to pursue truth and knowledge, particularly at the universities and other institutions of higher education.

These are times of crises. But they are also times of hope. As People's free and independent existence is in question, they are beginning to question the existence of unfree and right-less polities. We, as academics, intellectuals and purveyors of knowledge, have a human obligation and a social responsibility towards our People's Struggle for Rights, Freedom, Social Transformation and Human Emancipation. Our participation in the struggle of our people is inseparably linked with the struggle for the autonomy of institutions of higher education and the freedom to pursue knowledge without let, hindrance and interference from persons in authority.

In 1984, for the first time since independence, the Constitution of the United Republic of Tanzania was amended to include a Bill of Rights. The Constitution provided for the right to education and the right to opinion and expression which include academic freedom.

Tanzania subscribes to the United Nations' Universal Declaration of Human Rights; has ratified the International Covenants (1966) and the UNESCO Convention against Discrimination in Education and is a Party to the African Charter on Human and Peoples' Rights. These

declare for the right of education and freedom of opinion, expression and dissemination of information.

But rights are not simply given; they are won. And even when won, they cannot endure unless protected, nurtured and continuously defended against encroachment and curtailment

NOW THEREFORE, WE, the delegates of the Staff Associations of Institutions of Higher Education in Tanzania, meeting in Dar es Salaam, this 19th day of April, 1990 do Solemnly Adopt and Proclaim this Declaration.

PART I

BASIC PRINCIPLES

Chapter One

Education for Human Emancipation

1. Every human being has the right to wholesome education. Education shall be directed to the full development of the human personality.
2. Access to education shall be equal and equitable.
3. Education shall prepare a person to strive for and participate fully in the emancipation of the human being and society from oppression, domination and subjugation.
4. Education shall enable a person to overcome prejudices related to gender, race, nation, ethnicity, religion, class, culture and such like. Education shall inculcate in every person respect for all humane culture developed by humankind.
5. Education shall develop critical faculties, inculcate the spirit of scientific enquiry and encourage the pursuit of knowledge and the search for the whole truth in the interest of social transformation and human liberation.
6. Education shall be secular. Religious instruction shall be separate from secular education and imparted to those wanting to partake of it voluntarily.
7. Education shall make every person conscious of ecology and the need to protect the environment.

Chapter Two

Obligations of the State

8. The State should guarantee to every resident equal, equitable and wholesome education without discrimination of any kind as to race, colour, gender, language, religion, political or other opinion, national or social origin, economic condition, physical or mental disability, birth or other status.
9. The State should make available an adequate proportion of the national income to ensure in practice the full realisation of the right to education. The State shall bind itself constitutionally to provide a nationally agreed minimum proportion of the national income for education.
10. The State should take affirmative action where necessary to redress historical and contemporary inequalities in access to education based on national, racial, social or gender differences or arising from physical disabilities.

Chapter Three

Rights and Obligations of Communities

11. In the exercise of the right to self-determination, nationalities, communities and like collectivities shall have the right to provide education. Such education shall be in conformity with the Basic Principles and other provisions of this Declaration.
12. It will be part of the obligation of a non-governmental organisation involved in the provision of education to contribute towards affirmative actions in conformity with the spirit of article 10.
13. It will be part of the obligation of a community or a nationality to struggle against prejudices, attitudes and beliefs which in any form or manner prevent or discourage its members from partaking of education on an equal basis.

PART II

Chapter One

Rights and Freedoms

14. All members of the academic community have the right to fulfil their functions of teaching, researching, writing, learning, exchanging and disseminating information and providing services without fear of interference or repression from the State or any other public authority.

15. Civil, political, social, economic and cultural rights of members of the academic community recognised by the United Nations Covenants on Human Rights shall be respected. In particular, all members of the academic community shall enjoy freedom of thought, enquiry, conscience, expression, assembly and association as well as the right to liberty, security and integrity of the person.

16. All members of the academic community shall enjoy freedom of movement within the country and freedom to travel outside and re-enter the country without let, hindrance or harassment. This freedom may be restricted only on grounds of public health, morality or in circumstances of clear, present and imminent danger to the nation and its independence and which restrictions are justifiable in a democratic society.

17. Access to the academic community shall be equal for all members of society without hindrance. On the basis of ability every resident has the right, without discrimination of any kind, to become part of the academic as a student, researcher, teacher, worker or administrator without prejudice to any necessary affirmative action in that behalf.

18. Teaching and researching members of staff and students, directly and through their democratically elected representatives, shall have the right to initiate, participate in and determine academic programmes of their institutions in accordance with the highest standards of education and the Basic Principles.

19. All members of the academic community with research functions have the right to carry out research work without interference, subject to the universal principles and methods of scientific enquiry. In particular, researchers shall not be denied information or permission to do, or hindered in any way from doing, research on any ground except for reasons of public health and morality, or, in circumstances of clear, present and imminent danger to the nation and its independence and which restrictions are justifiable in a democratic society.

20. All members of the academic community with teaching functions have the right to teach without any interference, subject to the generally accepted principles, standards and methods of teaching.

21. A member of the academic community shall have the right to demand and receive explanation from any organ, official or administrator of the institution on its/her/his performance affecting her/him or the academic community at large.

22. Save where it is contrary to morality or principles of democracy, all members of the academic community shall enjoy the freedom to maintain contact with their counterparts in any part of the world as well as the freedom to pursue the development of their educational capacities.

23. All students shall enjoy freedom of study, including the right to choose the field of study from available courses and the right to receive official recognition of the knowledge and experience acquired. Institutions of higher education shall aim to satisfy the professional and educational needs and aspirations of the students.

24. All institutions of higher education shall guarantee the participation of students in their governing bodies. They shall respect the right of students, individually or collectively, to express and disseminate opinions on any national or international question.

25. It is the right of students on reasonable grounds to challenge or differ from their instructors in academic matters without fear of reprisal or victimisation or being subjected to any other form of direct or indirect prejudice.

Autonomous Academic Organisations

26. All members of the academic community shall have the freedom Of association, including the right to form and join independent and autonomous trade unions. The right of association includes the right of peaceful assembly and formation of groups, clubs, associations and such other bodies to further the academic and professional interests of the members of the academic community.

27. All members of the academic community shall have the right to write, print and publish their own newspapers or any other form of media including wall literature, posters and pamphlets. The exercise of this right shall have due regard to the obligation of the members of the academic community not to interfere with the right of others to privacy and in any manner or form unreasonably arouse religious, ethnic, national or gender hatred.

Chapter Three

Security of Tenure

28. All members of the academic community shall be entitled to a fair and reasonable remuneration commensurate with their social and academic responsibilities so that they may discharge their roles with human dignity, integrity and independence.

29. Teaching and researching members of the academic community once confirmed in employment, shall have security of tenure. No teaching member or researcher shall be dismissed or removed from employment except for reasons of gross misconduct, proven incompetence or negligence incompatible with the academic profession. Disciplinary proceedings for dismissal or removal on grounds stated in this article shall be in accordance with laid down procedures providing for a fair hearing before a democratically elected body of the academic community.

30. No teaching or researching member of the academic community shall be transferred to another post or position within or outside the institution without her/his prior consent.

31. A member of the academic community has the right to know any report, adverse or otherwise, on her/his performance made or received by relevant officials or organs of the institution in the course of the execution of their duties.

Obligations of the State Administration

32. The State and any other public authority shall respect the rights and freedoms of the academic community enshrined in this Declaration. The State is obliged to take prompt and appropriate measures in respect of any infringement by State officials of the rights and freedoms of the academic community brought to its attention.

33. Subject to article 40, the State shall not deploy any military, paramilitary, security or intelligence, or any other like forces within the premises and grounds of the institutions of higher education.

34. The State is obliged to ensure that no official or organ under its control produces or puts into circulation disinformation or rumours calculated to intimidate, bring into disrepute or in any way interfere with the legitimate pursuits of the academic community.

35. The State and the administration are obliged to ensure that the terms and conditions of service of the academic community are not, directly or indirectly, changed adversely or eroded such that the exercise of the rights and freedoms of the academic community is effectively undermined.

36. The State or the administration shall not impose direct or indirect conditions, procedures or any other form of restrictions which in effect nullify or curtail the rights and freedoms enshrined in this Declaration.

37. The administration in under an obligation not to divulge any information regarding members of the academic community which may be used to their detriment in any criminal, or other, investigation or proceedings of the like nature.

PART III

Autonomy of Institutions

OF HIGHER EDUCATION

38. Institutions of higher education shall be independent of the State or any other public authority in conducting their affairs and setting up their academic, teaching, research and other related programmes. The State is under an obligation not to interfere with the autonomy of institutions of higher education.

39. The autonomy of the institutions of higher education shall be exercised by democratic means of self-government, involving active participation of all members of the respective academic communities. All members of the academic community shall have the right and opportunity, without discrimination of any kind, to take part in the conduct of academic and administrative affairs. All governing bodies of institutions of higher education shall be freely elected. They shall comprise of, among others, members of different sectors of the academic community such that the majority are representatives of students and academic staff. Staff associations shall be represented on these bodies.

40. No armed personnel, military or paramilitary forces, intelligence and security personnel or forces of law and order shall singly or collectively enter the premises and grounds of institutions of higher education except under the following conditions--

(a) There is clear, present and imminent danger to life, or property of the institution, and such danger cannot be averted without the intervention of the forces of the State; and

(b) The Head of the institution concerned has invited such intervention in writing; provided that such invitation shall not be extended without consultation with and approval of a special standing committee of elected representatives of the academic community instituted in that behalf.

PART IV

SOCIAL RESPONSIBILITY

Chapter One

Responsibility of Institutions

41. All institutions of higher education shall pursue the fulfillment of economic, social, cultural, civil and political rights of the people and shall strive to prevent the misuse of science and technology to the detriment of those rights. Institutions of higher education should be critical of conditions of political repression and violations of human rights in our society.

42. All institutions of higher education shall address themselves to the contemporary problems facing our society. To this end, curricula and academic programmes as well as other activities of the institutions shall respond to the needs of the society at large without prejudice to the needs of scientific enquiry and production of knowledge.

43. All institutions of higher education shall extend support to other such institutions and individual members of academic communities, both inside or outside the country, when they are subject to persecution. Such support may be moral or material, and should include refuge and employment or education

for victims of persecution.

44. All institutions of higher education should strive to prevent scientific, technological and other forms of dependence of our society and promote equal partnership of all academic communities of the world in the pursuit and use of knowledge.

45. All institutions of higher education are obliged to offer academic programmes of the highest standard, suitable to the professional needs and aspirations of their students.

Chapter Two

Responsibility of Academics

46. All members of the academic community have a responsibility to fulfil their functions and academic roles with competence, integrity and to the best of their abilities. They should perform their academic functions in accordance with ethical and highest scientific standards.

47. All members of the academic community shall exercise their rights with responsibility without prejudice to the rights of others and the needs of our society.

48. All members of the academic community have the obligation to inculcate the spirit of tolerance towards differing views and positions and enhance democratic debate and discussion.

49. No member of the academic community shall participate in or be a party to any endeavour which may work to the detriment of the people or the academic community or compromise scientific, ethical and professional principles and standards.

50. All members of the academic community have a duty to contribute towards redressing historical and contemporary inequalities in our society based on differences of class, beliefs, gender, race, nationality, region and economic condition. Towards this end, all members of the academic community should voluntarily give their time to impart education to disadvantaged sectors of the population.

PART V

RATIFICATION AND ACCESSION

51. This Declaration shall come into force when ratified by the membership of two-thirds of the staff associations of the institutions of higher education attending the inaugural workshop.

52. Any autonomous staff association or autonomous student organisation of an institution of higher education in Tanzania may accede to this Declaration by depositing instruments of ratification with the body established in that behalf.

PART VI

DEFINITIONS

53. In this Declaration, unless the context otherwise requires, "Academic community" covers all those persons teaching, studying, researching or otherwise working at an institution of higher education;

"Academic freedom" means the freedom of members of the academic community, individually or collectively, in the pursuit, development and transmission of knowledge, through research, study, discussion, documentation, production, creation, teaching, lecturing and writing;

"Administration" means the organs and officials involved in the administration of an institution of higher education;

"Affirmative action" refers to deliberate action, including positive discrimination taken as a temporary measure to redress historical or contemporary inequality;

"Autonomy" means the independence of institutions of higher education and organisations, associations and groups within these institutions from the State and any other public authority including a political party but not including organisations of civil society and "autonomous" shall be construed accordingly;

"Basic Principles" means principles enunciated in Part I of the Declaration and where the context requires 'education' shall be construed to mean education in accordance with the Basic Principles;

"Community" as used in Chapter Three of Part I herein refers to a national group solidarity by virtue of commonality of culture, language, or religious belief and includes neighbourhood groups;

"Independence" in relation to a member of the academic community, the academic community or institution refers to the freedom to pursue the academic profession without compromise;

"Institution" means an institution of higher education;

"Institutions of Higher Education" means universities and other post-secondary school institutions offering formal instruction, or conducting, research, leading to qualifications of Diploma or Degree, or like qualifications, but do not include vocational and in-service training centres:

"Inaugural workshop" means the first meeting of the delegates of the institutions of higher education called to adopt and proclaim this Declaration;

"Nationality" refers to groups within State societies solidarity by virtue of common territory, culture and language;

"Resident" means any person living in Tanzania including her/his immediate family.

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