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## Evolution and Development of Private Higher Education in Kenya

### **The idea of higher education as a public concern in Kenya**

As in the case of most developing countries that were colonised, nationalist passions contributed immensely to the emergence and character of higher education in Kenya. The first public university in the country, the University of Nairobi, was set up in 1970, when the University of East Africa, at Makerere, Uganda, was de-established. Post-independence nationalism among the three East African countries of Kenya, Uganda and Tanzania accelerated the break-up of the federal university arrangement in favour of national public universities for each of these countries.

From the period of its inception, the University of Nairobi owed its existence to public resources. As a nationalist institution, the University undertook the responsibility for political socialisation, an ideological endeavour to reconstruct the political thinking of Africans to support the ideals of African socialism as a foundation for nation building. Indeed, both the nationalists and the colonial government collectively pursued the appetites for higher education in the colonies and the decolonisation process, albeit with different aims. In Kenya, it was the nationalist surge and racial tensions occasioned by the Mau Mau revolt that forced the colonial administration to consider the need for higher education in the country. After independence, expansion of higher education systems in the country accelerated to meet the continued demand from Kenyan Africans for such training. At the same time, the government used higher education as an avenue of training indigenous personnel for its Africanisation process, itself a political endeavour.

There were, however, other considerations for the 'public orientation' of higher education besides politics. Economically, higher education was considered crucial in modernising independent Kenyan society. It was therefore thought prudent to spend public resources since it was considered that in the long term the whole country stood to benefit through the application of skills to transform society. Generally, the drive to provide higher education was informed by three assumptions that prevailed

at the time on a worldwide scale regarding the role of higher education for national development (Farrell 1992:107). The assumptions were that: (a) it led to the generation of more wealth within a nation (economic development); (b) the more equitable distribution of such wealth or opportunity to access such wealth increased with the more the people who accessed high education (social development); (c) higher education contributed to political socialisation and democratisation on a scale that approximated development in western Europe (political development).

The above considerations meant that the public had to finance higher education, but that institutions offering such education could claim a measure of autonomy to regulate their internal affairs. In return, the public could look to the universities to provide answers to socioeconomic and political problems. The overriding logic then was that higher education carried too great a critical responsibility to be left to operate without public accountability or remain in private hands. The government too by virtue of its position as the planner and executor of economic programmes was best placed to determine the priorities for the university, such that university development was well articulated with national development plans.

There is one aspect of higher education development in Kenya related to this study that needs to be pointed out. Unlike Tanzania and Uganda which leaned towards socialist ideologies after independence, Kenya leaned towards the capitalist path. Hence whereas in Tanzania and Uganda nationalist party policies were institutionalised in university life, higher education in Kenya tended to be elitist from the beginning and operated on a *laissez faire* basis that allowed the operation of market forces to some extent. For example, in Tanzania, admission of students to university took into account an attestation of character from the village party leader and performance in pre-university compulsory national service, besides performance in school certificates (Ajayi et al. 1996). This was not the case in Kenya. Access to university education was secured through competitive examinations as the only consideration.

Two observations can be derived from these points. One, the idea of offering higher education as a marketable good was ingrained in Kenyan society right from independence when the country leaned towards capitalism as a basic mode of socioeconomic organisation. Indeed, as will be shown shortly, the pressure to expand high education had been occasioned by private resources that had been expended in expanding primary and secondary education in the country in the 1970s and 1980s. In fact, two private university institutions were operational in Kenya from the 1970s. The first was the United States International University (USIU), which opened a small campus in Nairobi in 1970. The second was the Baraton University of East Africa that began in 1980. The readiness to offer higher education on market principles later saw the steady growth of private higher education institutions from the mid-1980s. This steady growth was not paralleled in any other country in the East and Southern African region, besides the Republic of South Africa. At face value, this is an impressive development given global trends towards privatisation. This shows that the threshold for the private provision of higher education was established at

independence given the development paradigm that the country adopted. The issue that needs further analysis is the impact this development has had on equity.

The second observation relates to higher education and its public function. Irrespective of the fact that private resources have been expended in developing higher education institutions, they are still expected to execute a public mandate. In fact, the very acceptance and growth of higher education institutions has been a demand from the public for more access. The public interest in private higher education institutions does not therefore just disappear because they are private. There is a degree, in fact a higher degree, of government involvement in private higher education provision. The forms of knowledge that are produced and disseminated from such institutions have therefore to meet the broad expectations of the 'public' first as a key market before other considerations are raised. This public/private mix has to be taken into consideration when analysing the implications of privatisation and marketisation in knowledge production. The basis for evaluating how relevant private higher education institutions are engaging in knowledge production, is first to establish the knowledge needs of a country.

The development paradigm that Kenya adopted at independence implicitly determined the nature and character of higher education. The ideology of African socialism, as articulated in Session Paper No. 1 of 1965 concerning development planning, aimed to create a spirit of a communitarian approach to capitalist development. In this sense, the idea of expending private resources to provide social services was rooted in the Kenyan society. However, at the same time, the encouragement of market forces in socioeconomic life created an elite class that could accelerate the development of local private enterprise and create the demand for services offered outside the public realm. The 1960s and 1970s therefore laid the threshold conditions for the evolution of private higher education in Kenya.

### **The demand for and regulation of private higher education in Kenya**

Towards the 1980s, the pressure for university education, and therefore the need for its expansion, intensified in Kenya. The increased demand for university education was a consequence of policies the government had pursued in the education sector from independence. Given the racial and inequitable manner in which education was provided before independence, the government had a moral responsibility to redress such imbalance. In the primary education sector, a series of government policies were initiated to achieve universal primary education. Such policies entailed a waiver of direct parental and community contributions to schools in the form of school fees and the introduction of school feeding programmes in the semi-arid and arid districts of the country. Secondary school places were also expanded through government financial support, and community mobilisation in the form of 'Harambee', a communal pulling together of resources to provide services such as education. The net result of this development was an increase in the number of students who sought access to post-secondary higher education institutions in the 1980s.

The expansion that had taken place at the only public university, the University of Nairobi, had not kept pace with the developments sketched above. The number of new entrants to the university had grown from 565 undergraduates and 306 postgraduates during the 1970–1971 academic year to 7,478 undergraduates in the 1980–1981 academic year. The growth in student numbers also had two consequences that raised concerns regarding the equity of higher education provision in Kenya. The first was that despite the growth in student numbers, the university had not adequately diversified its curricula or the composition of its student population. The university was seen as concentrating public resources on a few students. The curricula remained narrow and generally did not reflect the changing socioeconomic circumstances of Kenyan society. Public sentiments then were that such curricula were elitist, and gave advantage to regions and households that had benefited from the inequitable distribution of educational opportunities during the pre-independence days.

Second was the realisation that despite the role of the public university in skills and work force development, society was not benefiting equitably from the skills, as personnel were not distributed equitably. The university had concentrated in producing skills and developing a work force to replace departing white-collar expatriates, to the detriment of rural agriculture and small-scale industry. The majority of rural farmers, small-scale traders and pastoralists in ASAL areas were not accessing qualified work force skills from higher education in order to improve their productive capacity. Most of the graduates from universities were concentrated in urban areas and in the manufacturing sector in an economy that heavily relied on rural agriculture. There was therefore need to expand higher education towards meeting the development needs of rural communities.

In 1981, and given the above concerns, the government of Kenya appointed a presidential working party to study and recommend modalities of expanding higher education through the establishment of a second university. The significance of the recommendations of the working party for this study is in terms of the pace they set in legalising the development of private higher education in the country (Republic of Kenya 1981). Besides recommending the establishment of a second public university in a rural setting, three other recommendations supported higher education expansion through private resources. First, the working party noted the strain on existing public resources, and recommended that any future expansion had to match student enrolment with the resources available. The idea was to ensure that quality and relevance in university teaching, research and scholarship were maintained and enhanced. To this end, the working party proposed, and it was the first time such a proposal was officially made, that consideration be given to the development of good ‘Harambee’ as well as private university institutions. Such institutions would offer increased opportunities for local university education and training. However, their establishment was to be carefully controlled and guided to enhance the proper development and maintenance of acceptable university standards of teaching and research.

Second, it was proposed that public universities be encouraged to admit more students who were qualified on condition that they paid tuition fees, instead of depending on government grants. The prevailing situation, and one that obtained up to the mid-1990s, was that admission to public higher education institutions was pegged to the government's financial ability to meet students' tuition and non-tuition expenses, and the available bed space at the institutions. This meant that qualified candidates could miss admission if financial resources from the government were inadequate. Such a policy did not take into consideration the fact that some families were able to meet their children's higher education expenses, and treated all students the same regardless of socioeconomic background. The admission policies continued to exacerbate inequitable access to higher education in the country. Although the government continued to capitalise the university loan scheme as a revolving fund, recovery of the monies from past loans was too inefficient to benefit the growing number of students seeking admission, as early envisaged. For example, by 1988, the government had disbursed a total of Ksh 1,273,814,580 to 93,899 university students. However, only 2,844 past students were repaying their loans. The proposal for the semi-privatisation of public higher education by admitting qualified students who would be able to finance their studies was therefore timely. This has become a prevalent mode of privatisation of higher education in Kenya.

Third, the working party made a proposal for the establishment of a council for higher education. The council once established would ensure that the establishment of private universities was related to national planning. Such a body was subsequently established in 1985 by an Act of Parliament as the Commission for Higher Education (CHE).

Fourth, a proposal was made to the effect that the envisaged second university, and by extension future developments in higher education, had to have a different thrust and a change in emphasis. Such institutions were to be based in the rural areas, and were to emphasise science and technology courses that fused academic programmes with the realities of Kenya's social and cultural life. The second public university that was established because of this recommendation lived up to these criteria. It was established in a rural setting, in the western part of the country. The university also focussed more on establishing academic programmes in technological fields in agriculture, science, forestry medicine and veterinary medicine. These were the areas in which that the country required high-level skills, in terms of its development objectives. Therefore, if the establishment of private higher education institutions were a true response to the country's development needs, it is important to analyse the extent to which they have actually addressed such a demand. It is also important to define the market for higher education within this context, and not only in terms of skills that provide students with job opportunities and monetary rewards, and therefore generate a sense of profit to both the employer and the employee in the short term. The untapped potential in terms of the demand for skills to improve the production capacity of Kenya's rural areas and to meet the people's expectations is in a sense a

‘market’ that higher education and training should respond to. The extent to which private higher education has addressed this challenge will be discussed later in this study.

### **The 1990s: The ‘take off’ stage of private higher education in Kenya**

The conditions for the development of private higher education in Kenya evolved in the late-1970s and in the 1980s. However, it was in the 1990s that private higher education approached the take off threshold in the country. Various conditions facilitated this take off.

First, as already indicated, the Commission for Higher Education (CHE) had been created in 1985. Part of the responsibilities of the Commission was to coordinate post-secondary education and training for the purpose of higher education and university admissions. This responsibility entailed that the CHE, among other things, set standards and bestowed recognition of qualifications for both public and private higher education institutions. Public universities however had a vice-chancellors’ committee that operated as the Joint Admissions Board (JAB) for the purpose of regulating admissions. This committee still exists and apportions the admission of regular students among public universities. Given the entrenched political influence of the vice-chancellors, and the manner of their appointment to office, they have never allowed the CHE to superintend the operations of public universities. This conflict continues to limit the role of the CHE to accrediting and supervising private universities. The situation helped facilitate the accreditation of private universities whose applications had for long been pending. The fact that a body that had been legally mandated by the public through parliament was the one to accredit private universities gave them a stamp of approval in the eyes of the public. This helped to ‘market’ their image as credible institutions that were an acceptable alternative to public universities. Before the establishment of CHE, there were no specific procedures for the development of private higher education in Kenya. Previously, an application for registration to the permanent secretary in the Ministry of Education was all that was required. There were no formal criteria to judge the quality of standards in the private institutions. By 1985, eleven institutions had been granted letters of registration and operated as universities.

Second was a combination of factors that revolved around the financial inability of the government to continue subsidising an ever-expanding public higher education system. From 1985, Kenya started implementing structural adjustment programmes (SAPS), as part of reform initiatives driven by the World Bank and bilateral donors. The programmes required among other things (see Williamson 1999), reforms in the education sector, especially a reduction of government subsidies to university education. Other specific conditions included a redirection of public expenditure towards fields offering high economic returns and the potential to improve income distribution such as primary health care, primary education and infrastructure. Privatisation and liberalisation of social service provision were also included. These reforms were meant to facilitate a transition from state to market planning. Since public higher education previously benefited from the statist approach, any reforms

towards privatisation or liberalising its provision were to shake the foundations on which it had always stood. Privatisation and liberalisation of higher education in Kenya was therefore foremost a consequence of these donor conditions, especially as they were tied to Kenya receiving certain aid packages.

Kenya did not implement the above conditions immediately, especially those that demanded reforms in the financing of higher education. Instead, the government continued expanding higher education without commensurate resources. The expansion that took place in public higher education from 1985 to 1990, when Kenya was supposed to have been privatising, explains the fanfare with which private universities were embraced in the 1990s. Mixed with an act of defiance to donors and the search for political popular support, the Kenyan political leadership went about transforming most diploma-level non-university institutions to universities. This was accompanied by political declarations from the political leadership to university authorities to relax the academic criteria for admission to take in more students. For example, in the 1987–1988 academic year, the government made a policy decision to admit a double class of first years into the public universities (Wandiga 1997). This was made necessary in order to clear the backlog created from the closure of the universities due to the attempted coup in 1982. Besides, Kenya had changed its education system from 7-4-2-3 to 8-4-4. The first group of 8-4-4 students were expected to enter the university in 1990, together with the last group of students from the 7-4-2-3 'A' level system that was being phased out. Both the 1987–1988 and 1990–1991 double intakes were accompanied by the admission of more other students than was the case previously due to the relaxation of admission requirements. The 1987–1988 double intake alone increased student numbers in the public universities by 75.2 percent from 8,804 to 15,337 students.

The expansion did not take place in terms of student numbers alone. Upgrading some middle level colleges to university status also increased the number of public universities. In the 1983–1984 academic year, there were two public university institutions, namely Nairobi and Moi universities. Kenyatta University College, a constituent of the University of Nairobi, was upgraded to a fully-fledged university in 1985. Combined they had a student population of 5,174 students (Republic of Kenya 1991). In the 1986–1987 academic year a fifth university, the Jomo Kenyatta University College of Agriculture and Technology, was established. During the second double intake of the 1990–1991 academic year, a sixth university institution, Maseno, was established. These developments pushed student enrolment in public universities to 38,848 (Wandiga 1997).

The critical factor was that adequate resources to sustain quality did not mark the above expansion. On the contrary, financial resources from the government continued to decrease as expansion of the institutions was intensified. Gross government expenditure on university education, as a percentage distribution of the Ministry of Education, fell from 20.9 percent in the 1989–1990 academic year to 18.3 percent in the 1991–1992 academic year, to 17.2 percent in the 1993–1994 academic year (Wandiga 1997). The scenario undermined the quality of education

and other services in the public universities. The ever-expanding public education created a rush for university education in Kenya. For students from high school who qualified but who did not receive admission to the public universities, the push for private provision locally became an alternative to the elusive overseas higher education. India, that was up to then the most open destination for Kenyan students, was suffering a negative press in Kenya that undermined the credibility of academic certificates from some Indian Universities. Some working Kenyans who had not had a chance for a university level education started looking for such chances to remain relevant and enhance chances of job mobility. At the public universities, overcrowding and lack of adequate teaching facilities occasioned frequent student riots and university closures. This dampened the image of public universities as cradles of quality learning. Students and their families resorted to private universities as alternatives. This factor alone pushed private universities to seek accreditation and to expand their facilities.

Even in the midst of the above scenarios, the government was not keen on privatising higher education entirely. This reluctance was perhaps dictated by political considerations rather a genuine desire to raise the efficiency of public higher education in Kenya. Therefore, in the face of increasing demand and dwindling resources for higher education, the government tried to search for alternatives to salvage public higher education. However, the ripple effects of any policy actions from the government not only provided a strong argument for liberalising higher education provision, but also actually created a demand for private higher education within the public psyche.

Faced with pressure to admit more students, with overcrowding in universities and a subsequent lowering in quality, the government requested an emergency loan of USD 600 million from the World Bank, under the education sector adjustment credit (EdSAC). The credit was targeted to improve access, quality, equity and management of public higher education (D'Souza 2001). The World Bank did not approve the whole amount requested, releasing only USD 60 million, and attached to the funds certain conditionalities. The government was asked to offer public higher education at market rates by introducing direct charges for tuition in public universities and reforming the student loan scheme to make recovery of loaned money efficient. Second and more critical, the number of students admitted to public universities was capped at 10,000 regardless of the total number of qualified applicants. This condition is still applied up to the present. The effect of this condition has been to create a ready market for private universities, as qualified students have taken private universities as a first choice alternative to public universities. The introduction of the reforms also led to very limited public resources at the universities, thus constraining their efforts at expansion.

The period of rapid expansion of public universities and the massification of student intake to the institutions therefore played a key role in the acceptance of private universities and the form into which they subsequently evolved. Parents and students who did not want to be associated with the academic rot that had engulfed public universities resorted to the few private universities that were already in existence. The internal trends towards the evolution of private universities were bolstered

by the growing internationalisation of higher education, and the recognition in international policy environments of the private sector in the provision of elite higher education institutions. Within this context, the private universities that evolved in Kenya did not encompass the broad mandate of higher education as previously known. Rather they targeted an elite, defined in terms of both the socioeconomic background of students and the key markets that required their skills. It is within this context that CHE, created in 1985, and that hitherto had undertaken little activity as regards its mandate, accelerated the process of granting charters and letters of interim registration for private universities.

The World Bank conditionalities that limited the number of student admitted to public universities and introduced tuition fees, the haphazard expansion of public universities, and the ever-increasing demand for university education were a major impetus to the recognition and growth of private higher education. Henceforth, the government accepted and entrenched private universities as complementary to the provision of public higher education. By 1990, Kenya had eleven registered private universities. By 1994, three private universities; Baraton University, Catholic University and Daystar University had been accredited by CHE and given charters to award their own internationally recognised degrees. Besides, by 1994, the government had put in place mechanisms to strengthen the role of CHE to coordinate the growth of university level education. Table 2.0 summarises the state of the various private universities in Kenya by 2003.

**Table 2.0: Number and status of private universities in Kenya, 2003**

Institution	Date Established CHE	Date Registered	Date accredited with CHE
1. Nairobi International School of Theology	1981	1989	Not yet
2. Nairobi Evangelical Graduate School of Theology	1983	1989	Not yet
3. East African School of Theology	1979	1989	Not yet
4. Pan-African Christian College	1978	1985	Not yet
5. St Paul's Theological College	1980	1985	Not yet
6. Scott Theological College	1986	1988	1997
7. Kenya Highlands Bible College	1971	1989	Not yet
8. Daystar University	1978	1989	1994
9. African Nazarene University	1994	1994	2002
10. Catholic University of East Africa (CUEA)	1984	1992	1994
11. University of East Africa Baraton (UEAB)	1978	1991	1991
12. United States International University (USIU)	1970	1989	1999
13. Kabarak University	1998	2000	Not yet
14. Kenya Methodist University	1997	1997	Not yet
15. Kiriri Women's University of Science and Technology	2002	2002	Not yet
16. Agha Khan University	2002	2002	Not yet
17. Strathmore University	2002	2002	Not yet

Source: Private university statistics CHE: 2004

Table 2.0 summarises certain background characteristics on the status of private universities in Kenya. Such characteristics define the mission and objectives of the universities. To the extent that the private universities operate autonomously based on their missions, the associated characteristics influence the degree to which they respond to issues such as equity in their operations. For example, of the 17 Universities registered with the CHE by 2003, 15 of them were sponsored by religious organisations. Their missions and academic programmes also had a strong religious orientation. This fact alone, though not explicitly stated in the institutions' mission statements, could operate to exclude access of students from certain sections of society. Secondly it is evident that most of the private universities were established and registered between 1970 and 1989. All the seventeen Universities are also registered with CHE, a fact that demonstrates their desire for official recognition and acceptance.

The Kenya government has put in place policies to promote the growth of private universities while ensuring they offer quality programmes. From the 1997–2001 plan periods, the government took several policy decisions.

First, an act of parliament in 1995 established the Higher Education Loans Board (HELB). The board facilitates the financing of student tuition in an efficient market-driven manner. With the inauguration of the board, and subsequent policy developments, students in all higher education institutions (both private and public) are eligible to apply and receive a tuition loan to finance their studies. The fact that even students in private higher education institutions qualify for financing from a publicly capitalised institution is a boost to the growth of private higher education. In the 2002–2003, academic year, 15 percent of students in private universities were getting tuition loans from HELB.

Second, the government through the Ministry of Education and CHE, in consultation with public and private higher education institutions, has implemented proposals to ease admission and entry of the students to the various institutions based on the students' choices. For example, reforms have been put in place to allow qualifying students to seek admission to colleges and universities of their choice. This was in view of past practices where qualifying students were restricted to take up places in public universities even when they were not placed in programmes of their choice. This practice had to be overtaken by the realisation that students pay equal tuition fees, and should be allowed to choose courses of their choice, and such choices be linked to prevailing market forces. A system of credit transfer and accreditation of middle higher education institutions is being worked out on a continuous basis. This policy reform indicated the extent to which the government appreciates the role private universities play in the provision of higher education. It will therefore be necessary for the private institutions to reciprocate by broadening their missions to include aspects that address wider social issues other than clinging to their narrow elitist character.

Third, and this is in regard to public universities, declining resources from the government for development forced administrators to start admitting students who qualify and who would pay tuition fees at determined market rates. This has marked

the third phase in the evolution of private higher education in Kenya. Privately sponsored (popularly known as parallel degree students) are now a major component of the student population in public universities. According to the Government of Kenya *2003 Economic Survey*, the government sponsors only 55 percent of the total student enrolment in public universities (Republic of Kenya 2003). The remaining 45 percent are private and if added to those in private universities, then the percentage of students in private higher education would be slightly more than the public one. This fact alone means that the private universities and programmes can no longer remain elitist, but must integrate their missions and operations to the development needs of the country. The numbers of regular admissions from qualifying students to public universities continue to decline, as the parallel admission continue to increase in all public universities. The competition for students has been intensified between public universities and private universities and between public universities themselves in terms of entry of students to specific courses that are seen to be more 'marketable' (in terms of job placement and expected remuneration).

Table 2.1 below summarises the enrolment of students in selected private universities, between 1996–1997 and the 2002–2003 academic years. The period was when public universities faced a crisis of confidence from the public. Information in the table captures the pattern in the growth of students in private universities, and therefore a critical period in their evolution. This pattern does not show plummeting enrolments like those witnessed in public universities in the 1987–1988 and 1990–1991 academic years.

**Table 2.1: Student enrolments in accredited private universities in Kenya 1996–1997 to 2002–2003 academic years**

Institution	1996-7	1997-8	1998-9	1999-2000	2000-1	2001-02	2002-03
Daystar University	1,250	1,292	1,681	2,278	1,812	1,864	2,135
Baraton University	922	842	952	1,044	1,306	1,127	1,531
Catholic University	1,207	1,320	1,402	1,617	1,477	1,574	1,803
United States International University	1,753	1,808	1,901	1,960	2,311	2,544	3,106
Scott Theological College	78	82	96	103	93	102	105
Totals	5,210	5,344	6,032	7,002	6,999	7,211	8,680

Source: Kenya Statistical Abstracts 2004.

The figures from Table 2.1 show a gradual but steady increase of student enrolments in the various private universities. The highest growth was in the 1998–1999 and 1999–2000 academic years when the percentage increase of students was about 16 percent. The 2000–2001 and 2001–2002 academic years saw a slight increase of 3.02 percent, which again fluctuated to a high of 20.4 percent between the 2001–2002 and 2002–2003 academic years. Nevertheless, the real significance of this growth in terms of higher education expansion in Kenya, and equity should be

understood against the context of what was happening in the public universities. This is important in drawing conclusions about the role of private higher education in expanding access and equity to higher education in comparison to public universities. Such a comparison can shed light on certain perceptions that have been held about private universities as critical alternatives to quality higher education. As has been indicated, legislation that governed the management of public universities together with donor conditionalities limited the leeway they enjoyed in admitting more students. However, the financial crunch occasioned by decreasing resources from the government forced public universities to start admitting private students at market tuition rates. This gave the students another alternative to higher education besides the purely private universities. The impact this has had in increasing access to university education in Kenya will be discussed later. It is however important at this point to provide a typology of what private higher education in Kenya consists.

### **A Typology of private universities and programmes in Kenya**

Before profiling the four private universities that were covered in the study it is important that a typology of what represents private higher education in Kenya be made. Private higher education is not homogeneous. Institutions that offer private higher education are differentiated in terms of their missions, mandates and sources of finance. In Kenya, as elsewhere in the developing countries where private higher education is just emerging, these differences are premised on whether the institutions are offering their programmes to generate profit (commercial logic), or whether they are offering a service to recoup operational costs without realising profits. The typology of 'not for profit' and 'for profit' institutions therefore is fitting in categorising private higher education institutions in Kenya.

#### ***(a) 'Not for profit' religious institutions***

Understanding the background to the growth of these institutions to university status was critical to this study. Seminal literature on private higher education in Africa identifies Kenya to have a larger sector of these types of institutions. Most of these institutions have been established by religious bodies that took the first initiatives to provide private higher education. The 'not for profit' institutions still account for the largest number of private universities in the country. However, as will be seen from the data presented elsewhere in this study, these institutions enrol a small number of students compared to the total number who qualify for university admissions annually in the country. The largeness of this sector is therefore more in terms of number of institutions rather than in terms of volume of students enrolled. As the background to the study shows, the push for the establishment and regulation of private higher education institutions was from the social demand for university education. Expansion of secondary and other post-secondary institutions in the country had created a clamour for university degree education that the public universities were not able to meet. One is therefore certain to measure the place of private

higher education institutions in terms of the extent to which they have expanded to meet this demand.

In developed economies where higher education has almost actualised the social demand imperatives, growth in this sector tends towards institutional diversity and response to specific group and corporate interests. In developing countries, the logic would be first to actualise a high degree of mass higher education by opening access to individuals who qualify from all social groups as a way of addressing social equity issues. This point has to be made because there are views that private universities do not have to respond to social demand and expand as long as they respond to the academic needs of their clients. Clients in this case are defined based on the small number of students who afford tuition fees charged by the institutions.

The 'not for profit' private universities in Kenya account for twelve of the seventeen private universities. These institutions operate at different levels. Five of them have been chartered by CHE and can award their own degrees. These universities are: the University of East Africa, Baraton (UEAB), The Catholic University of East Africa (CUEA), Daystar University, Scott Theological College, and African Nazarene University. One university, The Kenya Methodist University, has a letter of interim authority to operate. This means the university can admit and teach degree level students as it continues to implement other proposals from CHE to qualify for a charter. These proposals include diversification of the curriculum and upgrading of facilities. The last category here are institutions registered as universities but not operating as such. Some of them however offer degree programmes on behalf of other institutions. This has made them institutions of choice for local and foreign universities keen to establish arrangements for twinning academic programmes. Institutions in this category are the East Africa School of Theology, The Nairobi Evangelical Graduate School of Theology, the Nairobi International School of Theology, Pan African Christian College, Kenya Highlands Bible College, and St Paul's United Theological College.

All the 'not for profit' institutions base their curricula on some evangelical Christian beliefs and teachings. Besides the CUEA, UEAB, African Nazarene University and the Kenya Methodist University that offer both religious and secular curricula, the rest of the institutions in this category offer purely religious syllabi for those of their followers who want to join the ministry as preachers. Despite their high number therefore, most of these institutions target a few evangelical followers as their students. Over 90 percent of students enrolled in the 'not for profit' institutions are concentrated in four of the institutions that offer secular instruction. The growth of private higher education cannot be judged in terms of the number of institutions, but rather the number of students that are admitted and graduate from the institutions. On this score the 'not for profit' institutions give a false impression of a robust expanding private higher education sector in Kenya when the reality on the ground presents a different picture. Hence, in Kenya, religious private higher education institutions represent a higher share of higher education institutions, but a hold a small percentage of enrolments. As we shall show elsewhere in this study, USIU a

secular for profit university, enrolls more students and offers a wider curricula diversity than either UEAB or Daystar University, although the religious institutions were chartered earlier than USIU.

A more important issue that needs analysis is related to the higher number of religious-based institutions that account for this sector. All the institutions in this category were operating in Kenya a considerable time before higher education provision was liberalised. The Kenya capital, Nairobi, has served as Africa's ecumenical, missionary and para-church ministries centre for a long time (Carpenter 2003). For this reason, Nairobi hosts a large number of highly educated evangelical leaders, besides being home to a variety of Bible schools and Christian institutions. These leaders and institutions have been instrumental in transforming the nature of higher education provision from the private sector. The history of some of the institutions, such as Scott Theological College, dates back to the colonial period. The College was established by the African Inland Church to cater for the missionary needs of the time. Others, such as Daystar Communications, later Daystar University, were a post-independence development that expanded to serve the evangelical needs of some Christian churches. In addition, most Christian organisations used Kenya as a hub for their missionary work in East and Central Africa. The Catholics and Seventh Day Adventists who came to found CUEA and UEAB are a case in point. The attraction for establishing working bases from Kenya may have been motivated by the relative peace and robust economy that Kenya experienced in much of the 1970s and 1980s. The same logic may have influenced the expansion of Daystar communications from its base in Zimbabwe. These internal and accidental confluences led the Christian-based institutions to enjoy a numerical lead in the provision of private higher education in Kenya.

The numerical lead of the Christian churches however explains one part of the developments. The other part can be attributed to growth and change in the manner of operation of the evangelical churches worldwide. Joel Carpenter (2003), in an illuminating seminal essay, has characterised this process as the evangelical change of mission from producing Christian workers to producing Christian citizens. He attributes the growth of evangelical universities to a worldwide attempt by Christianity to confront the political and economic forces of globalisation with forms of Christian teaching that offer hope to the poor through higher education. In a sense, evangelical universities represent a religious response to certain exclusion tendencies of globalisation. Three important trends have marked out these developments.

First has been a new spirit of mission and agenda setting from Christian professionals and intellectuals who are lay persons unlike the clerics of the past. These new leadership is adept at finance and fundraising for the new evangelical universities. Second has been the rise of new players in global Christian mission work. These new players have taken the face of multinational Christian agencies, to use Carpenter's (2003: 62), phrase. The Christian multinational agencies parallel the economic and political multinational. These Christian multinationals have largely been responsible for financing the establishment of private universities. Lastly, the

new evangelical universities emphasise the spirit of enterprise. This is not new in Christian thought. The Protestant Ethic was part of the rise of capitalism. What is important here is to show how the spirit of enterprise has coupled with the intellectual leadership of the evangelical churches to venture into private higher education provision. Again, this is not just a beginning of church involvement in higher education. The beginning of higher education from the medieval period was a missionary and church enterprise. What is new is that church established universities are spreading from their traditional citadels in the western world to Africa. This movement represents among others the concentration of new evangelical Christian followers in Africa. It also represents a departure from traditional Christian teaching of the afterlife to modern evangelical perceptions of Christian life.

Lastly is the issue of the extent to which the 'not for profit' evangelical universities are actually not for profit. Varghese (2004: 8) has characterised the not for profit institutions as those that are owned and operated by trusts (see also Levy 2003: 11-12). The institutions rely heavily on endowments, on fees collected from students and on support from religious agencies. These are contrasted with for-profit institutions that operate to produce profit. They rely on student fees as a major source of financing, offer courses on market-friendly subject areas and are at times affiliated to universities abroad. In many respects, the 'not for profit' private universities in Kenya fit into the category of for profit institutions, according to Varghese's conceptualisation. One would expect that since they are not for profit and since they receive assistance and endowments from elsewhere, their tuition fees could be lower than that charged by the for profit institutions. However, this study established that tuition expenses were almost at par in all the private universities.

The average annual fees charged for example by USIU, a private for profit institution at the time of this study were US\$ 2,682 for arts-based courses and US\$2,875 for science-based courses. These compared with annual tuition fees of US\$1,843 (CUEA), US\$2,893 (UEAB), and 2,453 (Daystar) for arts courses and US\$ 2,160 (CUEA), 2,893 (UEAB), and 2,453 (Daystar) for science courses respectively. Of course, USIU also had other charges that considerably added to the annual fees charged by between US\$1500–2000. Both 'for profit' and the 'not for profit' institutions were therefore engaged in market-like behaviour in terms of pricing their courses. The differences in the tuition fees charged are too small really to reflect the 'not for profit' tag of the religiously inclined private universities.

Another aspect related to the issue of fees are various other charges levied on students at the private universities. These charges were grouped into optional and non-optional. The non-optional charges are those that a student has to pay along with tuition fees to access certain university services. The optional charges are left at the discretion of the student but non-payment means exclusion from accessing certain services. At UEAB, the non-optional expenses such as library, equipment, room and food, medical and caution fees totalled Kenyan shillings 94,300 (US\$ 1257). This made total annual charges go up to Kenyan shillings 236,860 (US\$ 3158). The cumulative charges of UEAB were in this respect higher compared to USIU. Hence,

the religious private universities are legally registered as 'not for profit' institutions but operationally they charge tuition fees and other levies that are at par and sometimes beyond what the 'for profit' institutions charge. This is the more interesting given that their legal status allows the institutions to procure certain services and commodities tax-free.

The second issue related to the 'not for profit' status relates to the curricula. Most of the courses offered in the not for profit institutions are those that have been considered market-friendly. In Varghese's conceptualisation, they mark a for-profit oriented institution. These are vocational courses in Business Studies and Administration and Computer, information technology and applied sciences. All the religious 'not for profit' institutions in Kenya offer these programmes at certificate, diploma and degree levels. There are also professional areas such as continuing teacher education that have a high applicant rate in both private and public universities. Of course, religious criteria in admission and teaching are infused in the admission and curricular criteria of the institutions. However, largely their curricula responds to the market and they peg admission on ability to pay tuition fees over anything else. These issues continue to raise doubts on the 'not for profit' status of these institutions. It may be that more studies on the conceptual categorisation of private higher education institutions versus the flow of resources to these institutions are needed. Keeping the 'not for profit' tag while charging tuition fees, offering curricula and restricting student admission on their ability to pay erodes the existence of a large sector of not for profit private higher education institutions in Kenya.

#### ***(b) The for profit secular institutions and programmes***

Three categories of institutions comprise the for profit private sector of higher education in Kenya. First are the established private universities. At the time of this study, five such universities were operational. These were USIU, the single largest secular private university both in terms of physical facilities and of student numbers. USIU was chartered by CHE in 1999, although it had been in Kenya on a small scale from the earlier 1970s. The other universities in this category are Kabarak University, Agha Khan University, Strathmore University and Kiriri Women's University of Science and Technology. These four universities had not been accredited by the time of the study. Their operations are limited to the provisions of the letter of Interim Authority. The letter issued by CHE allows the institutions to operate as universities as they upgrade their facilities in preparation for inspection for purposes of receiving accreditation. They are also small scale in terms of their curricula and student numbers. Kabarak and Kiriri Women's University have been set up by individual proprietors while Strathmore and Agha Khan belong to groups with business acumen. Though secular, Kabarak, Strathmore and Agha Khan have been sponsored by individuals and groups with strong religious affiliations. Strathmore has a strong affiliation to the Catholic Church, Agha Khan to the Ismail Muslims, and the sponsor of Kabarak, former President Moi, to the African Inland Church.

Despite its legal status as a private for profit secular university, the mission statement of Kabarak invokes Christian principles as the basis of its functional foundations. Strathmore University despite its link to the Catholic Church has a strong secular and for profit orientation in its operations. The University is part of the Global Business School Network (GBSN), an initiative of the International Finance Corporation (IFC), a private sector arm of the World Bank. The mission of the university is also framed in secular terms: to provide quality business and information technology education in an environment that promotes an entrepreneurial mindset and ethical practices.

The Agha Khan and Kiriri Women's Universities are also unique in some respects. Agha Khan's curricula tend towards nursing and medical courses. These courses have been avoided by the other private universities, as they require heavy capital investments. This is one area where there is a national and regional demand for a professional workforce. Kiriri, on the other hand, has focussed not only on women but also on areas from which women have been traditionally excluded. The two universities seem to have defined the market not in terms of training in short-term vocational skills, as the other private universities have done. Their focus is on the long-term professional requirements of the global market. Indeed skills, especially in medicine and nursing, are in high demand globally and Agha Khan seems to have been positioned to address this demand in the long-term.

The second category of the private for profit higher education provision comprises private programmes offered at public universities. These programmes are considered for profit since commercial and market-like behaviour governs the admission of students and the operation of the programmes. Lecturers who teach these students receive extra payment besides their salaries. Much of the revenue is of course used to subsidise university operations and development. However, the income is shared across all the university personnel as trading partners share profits. All public universities in Kenya admit students who pay full tuition fees and their accommodation and subsistence expenses are not subsidised either by the universities or the government. These admissions are besides the regular students whose tuition and accommodation expenses are subsidised.

The full tuition-paying students are referred to variously as 'privately sponsored', 'parallel degree', 'continuing education' or 'module two students'. The various terms designate the sources of tuition fees for the students, the nature of academic programmes into which they are admitted, the manner of teaching and of evaluation, or both. Their sources of finance are private, meaning individual savings or from family and parents. They are referred to as parallel because in some instances their academic programmes are conducted separately from those of regular students although course content is the same. Coverage may however vary depending on the amount of hours covered, especially for evening and weekend classes and those conducted when regular students are on three-month vacations. The 'continuing' label refers to working students who are pursuing studies for purposes of job mobility. These students are referred in this study as private students. The motivation to

launch these programmes by public universities was to generate extra income. With decreasing government financial support, the university authorities resorted to these programmes. The income generated is supposed to be used to improve the quality of teaching and learning facilities to benefit the whole student community. The efficiency with which the extra revenues are generated and used to improve the quality of academic programmes in public universities is important in analysing the implications of privatising public universities.

In line with the commercial culture of private higher education, some universities have formed corporate companies and corporate-like entities to manage the financial aspects of the programmes and to advise on business plans institutions. The University of Nairobi, for example, formed the University of Nairobi enterprise services (UNES). UNES functions like a corporate entity within the university, and the management and functional aspects of the company are guided by the state corporations Act. Other public universities have separate income-generating directorates. Through such directorates, Jomo Kenyatta University of Science and Technology collaborates with public and private middle level colleges to offer continuing education programmes at venues convenient to students. All public universities have set up various mechanisms to admit extra students who pay fees at market rates as with private universities in order to generate operational resources. To push more students to take up the private alternative, public universities have consistently capped their regular admissions to 10,000 students. Admission of regular students to competitive professional courses such as law, medicine, engineering, computer science and science teacher education is also limited to take in more fee-paying students. The admission of private students to public universities, the commercialisation of academic programmes and the corporate manner in which the programmes are managed constitute the privatisation of public universities in Kenya.

The introduction of private degree students in public universities has greatly stalled the growth of purely private universities. Data for this study show that enrolments in private universities went up during academic years when public universities had not started the private programmes. For example during the academic year 1995–1996, enrolments in public universities declined by 10.3 percent. In the 1996–1997 academic year, the decline was in the range of six percent ( Republic of Kenya, Statistical Abstracts 2003). This saw an increase of 2.7 percent in the five key private universities that constitute over 90 percent of enrolments in private universities. During the 1998–1999 academic year when enrolment in public Universities declined by about seven percent, growth in the private universities within the same period almost doubled to 16 percent. However, during the 2001–2002 academic year when public universities increased enrolment by 24.5 percent, those in private universities increased only by 3.02 percent. The 2000–2001 academic year saw public universities intensify admission of private students for various degree and diploma courses.

Two conclusions can be made here. One, privatisation of higher education within public universities has led to a near stagnation of enrolments in private universities.

Two, private universities were an alternative when public universities had not opened up to private students. This meant they were the only choice available locally. Without competition, it is hard to conclude therefore that they constituted a better choice. It is also not wise to conclude that the quality of academic programmes in private universities was higher because more students had opted for them. As has been argued, this happened during a period when public universities were suffering a credibility crisis. The scenario in most of Africa in the 1980s and 1990s was that private provision of services was preached as an alternative to poor quality services that were offered in government-managed facilities. These perceptions were based on the key assumptions of the neo-liberal reforms that almost demonised public service provision as inefficient in comparison with private provision. Any institution that provided education and other social services privately was taken in the public psyche to mean efficiency and better quality. However, as public service reforms in Africa now attest, the privatisation drive went to 'fundamentalist' levels and did not necessarily lead to quality services. This explains the high number of students opting for private programmes in public universities and the near stagnation of enrolments in purely private universities in Kenya. This could also be attributed to the diversity of academic programmes that public universities offered in comparison with the purely private universities. These considerations usually underlie students' choice of institutions.

The third institution in the for profit category is the African virtual university (AVU). The AVU, headquartered in Nairobi, utilises satellite technology and e-learning techniques to deliver academic programmes. It offers undergraduate and postgraduate programmes based on prioritised needs of students. The areas that have been targeted are those considered critical for economic development. Like its other private counterparts, AVU has focussed on computer science, computer engineering, electrical and mechanical engineering, public health, teacher training, business administration and commerce. All the public universities in Kenya act as AVU teaching centres. The academic programmes that AVU uses have been developed and transmitted by universities in America and Europe. These universities are the Massachusetts Institute of Technology (USA), Carleton University (Canada), Université Laval (Canada), New Jersey Institute of Technology, (USA), Indiana Institute of Technology (USA), Royal Melbourne Institute of Technology (Australia), and Curtin University (Australia). In the long term, the mission of AVU is to develop the capacity of African academics in open learning, distance education and e-learning. While the learning techniques sound sophisticated and the revolutionary potential attractive, this study was not able to access information on programme costs and the number of students enrolled from Kenya. It is however instructive that virtual learning techniques aim to cut costs of face-to-face instruction and in Africa represent the face of the global multinational university. The partners of AVU include organisations such as the European Union and the World Bank, bilateral donors such as DfID, and national governments in Africa.

The foregoing provides a summary of how expansive privatising and private higher education is in Kenya. What is tricky is to draw a line between for-profit and the not-for-profit institutions. This is because all the institutions charge almost the same amount of fees, engage in commercial and market-like behaviour, and on the basis of their missions, their clients are restricted in the main to the limited number of students who can afford tuition and other related costs. In the following section, the profiles of the four private universities that were covered by the study are discussed. This is necessary to capture the institutional orientations and mission statements of the various institutions to determine the extent of inclusion or exclusion of certain groups of students. This information has been used to draw conclusions on the extent to which the operations of the institutions address equity issues.

### **Profiles of the four private universities in the study**

#### ***(a) The United States International University for Africa (USIU)***

The history of USIU in Kenya dates back to 1969 when it moved its international presence to Nairobi from San Diego in the USA. During the same year, it was granted a presidential charter by Kenya's first president to operate in Kenya as a university institution. This made USIU the first and only secular private university in East Africa. The overriding philosophy of USIU, which could be traced to its founder Dr William Rust, was to 'bring together people of the world based on the belief that neither individuals nor nations can flourish in isolation'. The university therefore sought to create global understanding and cooperation through education. The university started operations in 1970 with five American students. Initially the students could start with a two-year programme in Kenya and proceed to San Diego to complete their studies there. By 1979, all programmes could be completed from the Nairobi campus and a Master's degree had been added to its academic offerings. USIU in this respect became the pioneer private secular university in the East African region.

The pioneer status gave the university an earlier advantage in responding to the rising demand for higher education in the country. USIU developed along with the increase in the number of students looking for university places and the decline in the public university sector. These factors meant USIU had to target an already identified clientele that had been 'captured' for the institution by circumstances. In 1989, the institution applied for a charter from CHE. The charter was awarded on 10 December 1999. USIU is also accredited by the Western association of schools and colleges (WASC) from the USA. This double accreditation has significantly raised the stature of the university as regards the quality of its programmes. USIU became the fifth private university to be accredited as such in Kenya. What is curious here is that despite the institution's earlier entry to provide secular private higher education, the other religious leaning institutions were given charters earlier. The explanation for this anomaly lay in the political climate in which CHE was then operating. The political leadership may have had a soft attitude towards religious leaning institu-

tions. The President of the Republic confessed Christianity. He later established a private secular university, Kabarak, whose mission and philosophy are based on Christian teachings. However, more importantly was the political hostility towards privatisation and liberalisation at the time. Since reforms in these areas were packaged together with demands for political reforms, the political leadership viewed any private initiative as part of a challenge to its hegemony. USIU may have suffered this misplaced aggression as its religiously inclined competitors enjoyed more favourable treatment.

The goals of the university according to its mission statements are ‘to provide a diverse community of learners with high quality, broad-based educational programmes that promote inquiry, masterly and application of knowledge through concepts and skills while fostering ethical leadership and responsible service to Kenya Africa and the challenging global community’. The mission statement guides the university in its admission policies and its conduct of academic programmes. The specific objectives that the university pursues, based on information summarised from the calendar, are:

- Supplying the work force to meet national requirements;
- Contributing to the knowledge and information needed for economic development;
- Increasing the enrolment of foreign students, hence gaining from foreign human and financial capital;
- Strengthening leadership qualities through education and training programmes;
- Ensuring that ethical and moral attributes and attitudes built into its programmes are applicable to the Kenyan workplace; and
- Strengthening the cultural base through study, research and diversity in student enrolments.

At the time of this study, USIU had an enrolment of 3,106 students, 53 percent of whom were female. The university continues to have the highest enrolment among the private universities. The success of the university in terms of enrolments and the projection of its image lies in a balanced articulation of the university’s commercial objectives and the academic aspirations of its students. Three factors are frequently cited by students and staff as influencing their decision to study and work at USIU: (i) The international orientation of the staff, students and curricula combined. Sixteen percent of the faculty at USIU at the time of this study was non-Kenyan. To the students this means valued exposure to establish connections and enhance chances of working outside Kenya after graduation. To the faculty, the USIU connections have made it easier for them to pursue higher academic training in American universities. For both students and faculty these options are tempting at a time when getting a visa to the USA, even for studies, may be elusive. (ii) The dual accreditation of the university has attracted both Kenyan and foreign students. The university has used this effectively to market its programmes as of high quality and accepted worldwide. This captures the international students and Kenyan students

who have aspirations of seeking employment outside Kenya. (iii) The re-branding of academic programmes to suit prevailing market demands. The university, for example offers an undergraduate and postgraduate degree in International Business Administration that is popular to both working and non-working students. It also forges links with major multinational companies and agencies where it places students for internships. Learning through internship is a course requirement at USIU and, unlike in the other universities where students look for placements on their own, USIU does this for its students and factors performance during internship into a student's graduation grades.

The university has also expanded its programmes from what it was offering ten years ago. Like all other private and public universities in Kenya USIU's academic programmes target both degree and non-degree students. This trend has been one development of private higher education where the functions of middle level vocational colleges are taken up by universities. Private and public universities in Kenya offer vocational and academic professional training. The level of training also ranges from certificate to postgraduate qualifications. This represents a departure from the pre-privatisation period when universities focussed on degree-level professional academic programmes. The vocational training was the mandate of the non-university sector of higher education institutions. The following degree programmes are offered at USIU:

- Undergraduate and postgraduate degrees in Business Administration;
- Undergraduate and postgraduate degrees in International Business Administration;
- Bachelor of Arts and Master of Arts in International Relations and Psychology;
- Bachelor of Arts in Journalism;
- Masters of Arts in Counselling Psychology;
- Masters of Science in Management and Organisational Development;
- Bachelor in Hotel and Restaurant Management;
- Bachelor of Science in Information Systems and Technology;
- Bachelor of Science in Tourism Management.

**(b) The University of Eastern Africa – Baraton (UEAB)**

The UEAB started in Kenya in 1978 when the Board of the Afro-Mid East division of the Seventh Day Adventists applied to the government to start a university. This was a logical progression of the church's involvement in educational provision that had started decades earlier. From 1903, the Seventh Day Adventist church had been established in Tanzania. From there, it spread to Uganda and Kenya and by the time the East African countries were gaining independence, the church was actively involved in setting up schools and colleges in the region. One challenge the church had to address was how to link its Christian beliefs to the secular education provided by the schools and colleges it had established in East Africa. This challenge led the church to limit recruitment of students and staff to those who shared in the beliefs

and faith of the church. The institutionalisation of church practices required training institutions for its various cadres of workers. Before the establishment of UEAB, the church had to send its personnel to the Middle East College in Beirut, Lebanon for such training. The growth of the church faithful and non-university institutions made local training in East Africa necessary and urgent.

The need for institutionalising degree level education and training for the church's workforce was therefore the driving force for the establishment of UEAB. The urgency in meeting the growing social demand for higher education in Kenya and the East African region was not part of its initial mission. The government however supported the establishment of the university through the allocation of 339 acres of land of what was then a public animal husbandry research institute in Nandi district. This government support, as noted when discussing the case of USIU has not been forthcoming to private secular universities. (Not that the government has similarly supported all private religious leaning universities). However, at the period of their inception, faith-based institutions did not experience much trouble from government bureaucracy compared to those that the secular universities had to surmount. For example, the government allocated public land to UEAB, USIU, which had an earlier presence in the country, had to buy land for its development and expansion. The UEAB, with financial and personnel support from the SDA church, admitted the first group of students in January 1980. Tuition fees from students and philanthropic contributions supplement these funds. The student enrolment at the university stood at 1,531 at the time of the study. The university also is the largest Seventh Day Adventist institution on the continent of Africa.

The university, like USIU, also boasts of a double accreditation. First, it is accredited by the Association of Seventh Day Adventist Schools, Colleges and Universities. Second, it was given a charter by the government of Kenya on 28 March 1991. UEAB was actually the first private institution to be accredited by CHE to operate as an autonomous private university.

The mission of the UEAB is stated in its brochure as the 'provision and advancement of a holistic Christian quality education to equip learners with the necessary skills for service for God and the humanity'. The academic programmes of the institution and the culture of the university are based on this mission. This mission is anchored in the following two pillars of the Adventist philosophy. First, its philosophy on the nature of society is explicitly religious. The university sees the tensions and problems in contemporary society as a results of man's alienation from God. Therefore, the restoration of man's relationship to God is the foundation for healing what is broken in society. Second, it views all true knowledge as having its source in God. This knowledge is made available to people through programmes for the general public, as well as developing educated citizens who can meet the needs of the community and the Seventh Day Adventist church.

Based on the foregoing, the educational objectives of the university embody the following;

- The provision of balanced educational programmes that give each student the opportunity to develop socially;
- Encouraging students to understand appreciate and adopt a Christian lifestyle and value system;
- Helping students to strive for mental excellence;
- Assisting students to achieve and maintain physical health;
- Preparing students to become useful members of society;
- Preparing students for active service and a role in the mission of the Seventh Day Adventist church; and
- Providing adequate facilities and infrastructure for a high quality education.

The strict religious mission of the university has meant that it is accessible to students and faculty who profess the Adventist faith. Non-Adventist students and faculty, who agree to live according to Adventist lifestyles, are however considered for admission and employment. As the university states in its admission policy document, 'admission to the university is considered a privilege not a right'. The admission of non-Adventist students has however caused strains in the university. Even Adventist students' occasionally rebel against some of the strict Adventist ethos. The perception of students at UEAB was that the university does not have an enriching environment for secular education. The students pointed to daily worship and strict observance of the Sabbath as some of the issues that were not germane to pursuing a secular education. Observance of the Sabbath entails not listening to secular music and radio programmes, and not participating in sport functions and secular games. Avoiding reading secular materials and enforcement of Adventist morality in areas of eating and dress are also part of Sabbath observance. Importantly, Adventist teaching does not advocate affirmative action as it holds that 'all human beings to be equal without regard to race, gender, ethnicity and social statuses'. The desire to enforce Adventist teaching as part of a secular education has kept student numbers at UEAB small compared to the demand for higher education within East Africa. The university also admits international students. The focus on a target group of students and the admission of international students limits the impact of the university in addressing the social demand for higher education in Kenya.

The academic programmes of the university have expanded from what they were in the beginning. The various courses embody at least one facet of the university's mission statement. It is also important to note that UEAB provides academic programmes that are science-oriented. The academic programmes are organised into five schools, as follows:

- The School of Business, with Departments of Accounting, Management, Marketing, and Information Systems and Computing.
- The School of Education with Departments of Curriculum and Teaching and Guidance and Counselling.
- The School of Humanities and Social Sciences with Departments of History and Geography, Language and Literature, Theology and Religious Studies, Music.

- The School of Science and Technology, with Departments of Agriculture, Biological Sciences, Family and Consumer Sciences, Physical Sciences and Mathematics, Nursing, and Technology.
- The School of Public Health, offering a Masters in Public Health in collaboration with Loma Linda University.

**(c) Daystar University**

Daystar University, located in Nairobi, is non-denominational, and is the largest liberal arts college in Africa. Its origin dates back to 1967, when Dr Donald K. Smith, an American missionary, and S. E. M. Pheko founded Daystar Communications in Bulawayo, Zimbabwe, to evaluate various media used in communicating the message of Christ, to analyse the target audience of such messages, and to design and develop more effective communication strategies. In 1971, Daystar began short-term training programmes to assist church leaders in developing cross-cultural communication strategies. In 1976 it launched a two-year diploma programme; in 1978, a Master of Arts degree (in cooperation with Wheaton College, USA); and in 1984, a Bachelor of Arts degree (in cooperation with Messiah College, USA). In 1973, Daystar Communications was relocated to Nairobi and was registered as a non-profit company. Initially the College continued to offer undergraduate and graduate degrees, accredited by Messiah and Wheaton Colleges. In September 1994, Daystar was awarded a charter by the Kenyan government to become a fully-fledged university.

The mission of Daystar University is two-fold. First, it is to help church and missionary organisations to increase their effectiveness in communicating Christ to the culturally diverse societies of Africa. Second, it is to provide a university level educational centre where Christians throughout Africa can earn accredited degrees and be equipped as men and women of integrity (<http://www.daystarus.org/mission.htm>). The university is currently the only accredited evangelical Christian liberal arts college in all of black English-speaking Africa. Daystar also has double accreditation. Besides that from the Kenyan government, the university is accredited by the Christian College Consortium based in the USA. The university also admits international students. The student enrolment of Daystar stood at about 2,135 in 2003.

The revenue for running the university is derived from student tuition fees and contributions from sponsors. In this regard, the university gets support from Daystar, US, Daystar Canada, and affiliates within Africa. The University also prices its academic programmes at market rates and compares them to what other universities in North America and Europe charge. The academic programmes of the university reflect its mission and the diversity of students.

The courses offered at the university are:

- Bachelor of Arts in Bible and Religious Studies, Communication, Community Development, English, Music and Psychology.
- Bachelor of Commerce degree in Accounting, Business Administration and Management, Economics, Marketing.

- Bachelor of Education degree in Accounting, Bible and Religious Studies, Business Administration and Management, Economics and English, Marketing, and Music.
- Bachelor of Science degree in Computer Science, Economics.
- Masters of Arts degree in Christian Ministry Communication.
- A two-year diploma in Communication Arts, Christian Ministries and Counselling, Christian Ministries and Missions, Christian Music communication, Management and Development, Research and Consultation.

**(d) Catholic University of Eastern Africa (CUEA)**

The CUEA started as a graduate school of theology known as the Catholic Higher Institute of Eastern Africa (CHIEA), in 1984. The Institute was founded by the Regional Ecclesiastical authority known as the Association of Member Episcopal Conferences of Eastern Africa (AMECEA). The membership of the regional organisation comprises Eritrea, Ethiopia, Kenya, Malawi, Sudan, Tanzania, Uganda and Zambia. The impetus was the desire by Roman Catholic Bishops within the East African region for a Catholic University that would meet academic requirements and project an African view of the world. In August 1985, Pope John Paul II formally opened the institute. The graduate school of theology then started negotiations with the CHE in Kenya towards the establishment of the CUEA. In 1989, the institute obtained the 'letter of interim authority' as the first step towards its establishment as a private university. In 1992, the university was accredited and granted a charter.

The philosophy and vision of the university revolves around the desire to promote a universal Christian view and the pursuit of truth through consecration. This philosophy is articulated through the Catholic view of higher education. This teaching emphasises the free search for the whole truth about Nature, Humanity and God. According to this philosophy, higher education is pursued as an instrument of liberation and transformation and as an academic agent for creating knowledge and producing competent graduate leaders of the church.

The university offers certificate, diploma, undergraduate and post graduate programmes. The programmes are offered in five faculties. These are the faculties of Theology, Arts and Social Sciences, Science, Commerce, and Education. Finally, the University established an office to coordinate research and publications. This was a key difference from the other private universities, which focussed more on teaching and Christian education.

**Private students and programmes at public universities**

This section briefly profiles the operation of what has been referred to variously as 'private' or 'parallel' degree students in public universities. This is important for purposes of drawing comparative conclusions as to the degree to which public and private universities are responding to issues of equity and knowledge production. As noted in the case of private universities, the operations of privatising public

universities are guided by the mission of the new programmes. This mission may sometimes complement and at others contradict the overall missions under which public universities were established in Kenya. The embedded public social responsibility of the universities has already been discussed in the introduction to this study. The initial missions of public universities emphasised the role of the universities in work force development and the creation of a socially equitable society. The new mission on the other hand emphasises the success of the universities in generating their own operating revenues through business-like practices in academia. In a sense, therefore we have a situation of two universities existing in one institution.

The first entails the remaining rudiments of a public university system. These are limited to students who are on partial or full government sponsorship. The number of students is limited to 10,000 every year selected from the best qualifying students from high schools. The students are centrally selected by the Joint Admissions Board, a committee of all public university vice-chancellors, and shared among all public universities proportionally. These are the students that are referred to as the 'module one' or 'regular' students. The other group consists of those students who are in the 'parallel' programme. Students in these programmes range from those pursuing certificate to postgraduate courses. Each university admits its own students and the criteria for admission vary from one university to another. Admission to academic programmes also varies across universities and criteria differ from those used to admit regular students into the same programmes. The admission of regular students is normally based on specific academic credits from high school. This bracket is considerably widened for the 'parallel' students in favour of ability to pay. In as much as the two categories of students are admitted based on different academic criteria and subjected to different institutional academic requirements, they constitute two different university models. The first model could be referred to as the 'public' university, while the second is the 'enterprise' or 'business' university.

The profile of modes of study in the 'parallel' programmes is broad and varies from one university to the other. Within one university, different groups of students may be pursuing the same programme. There are programmes where students are taught in the evenings and over weekends. The University of Nairobi, given its location within the capital city, is a popular destination for these groups of students. These students work and can only get time off in the evenings after work and at weekends. The university also admits full-time students who are integrated with the regular students. All these fee-paying students are admitted and coordinated under UNES, the corporate face of the university. The coordination of academic programmes and student evaluation for the 'parallel' students has also moved from the traditional academic departments to the corporate entity.

Kenyatta University, largely a teacher education institution, has a majority of the 'parallel' students during the holidays when schools close and teachers find time. The university integrates a few of the 'parallel' full-time students with regular students. However, it has recently bought a separate campus for the future development and growth of the parallel programmes. The university also has an institute of open

learning for distance education programmes. In a different version, Kenyatta University of Agriculture and Technology accredits other diploma level institutions spread across the country to offer its programmes. This arrangement compensates for the lack of physical facilities at the institution to concentrate all the students. Egerton, Moi, and Maseno universities that are located in relatively rural parts of the country have bought buildings in nearby urban centres to attract the same cadre of students. All these arrangements influence the access of different groups of students to the institutions. The arrangements also alter the working environment of the faculty in terms of striking a balance between teaching and research. Two facts related to this came out during the study. One, the number of 'parallel' students in some universities such as Nairobi and Kenyatta was slightly more than the 'regular' ones. Two, in some professional programmes such as law, teaching and commerce, working student numbers were higher than those who were entering straight from high school.

Lastly, the distribution of revenues and profits accruing from the private programmes reflected certain contradictions. Privatising public universities was aimed at generating revenue to meet shortfalls from the government. The revenues were supposed to be used to improve the quality of university facilities and the general learning environment. Furthermore, lecturers could make extra money and compensate for the low salaries that they were paid. The thinking was that this would keep lecturers in the institutions and stem the brain drain, as they would be more available to their students. This has not entirely happened.

An analysis of the distribution of the revenues generated showed that utilisation was skewed away from core academic activities. For example at the University of Nairobi, ten percent of the revenue is budgeted for capital development projects, eight percent for teaching materials, three percent for office and teaching equipment, three percent for the purchase of journals and one percent for research grants. But forty-one percent is spent on salaries for service providers while UNES takes seven percent as a management fee. A substantial proportion of the revenues are evidently spent on staff welfare. This might be wise if their welfare was directly related to the business of the university. This is not the case. All the public universities in Kenya have a large proportion of their employees as support staff, even while some teaching departments do without enough lecturers. Given their large numbers, the non-teaching staff consume most of the revenue generated as emoluments, thus considerably reducing the amount going to lecturers and teaching facilities.

At Kenyatta University, five percent of the revenue is voted for research and the rest distributed unevenly based on the pressing issues at hand. Like Nairobi though, a large percentage goes to subsidise workers' emoluments. Because of this, the university has refused to enter into negotiation with the lecturers' union on the specific modalities of distributing income earned from the 'parallel' programmes. This has caused sporadic conflict between the union and the university administration that has occasionally led to the closure of the university. Generally, all the public universities are riddled with accusations of mismanagement and the pilfering of

funds generated from the privatised programmes and students. Rather than being avenues to salvage the quality of the institutions, the programmes have opened a new front of conflict between university workers and management. These conflicts may continue to derail the objective of the programmes and the mission of the universities.

### Conclusion

The evolution of private higher education and the privatisation of universities was a response to two developments. First was the increasing demand for higher education in the face of the financial inability of the government to expand admissions and subsidise students in public universities. This was a key impetus for the growth of private universities. Second was the desire by the management of public universities to stall the collapse of the institutions and reverse the decline in the quality of their programmes. By generating their own revenues and gaining financial autonomy from the government, the institutions could expand their facilities, increase access and improve remuneration of academic staff to stem the brain drain. The overall result would be institutions that responded well to their role as significant social institutions by striking a balance between expanding access and transmitting knowledge to students through teaching and to society through basic research. Privatising public university programmes was meant to achieve this objective. The discussion on the impact of privatisation and private higher education in this study was based on the perspective of these objectives.

The profiles of the four private universities that were included in the study bring out four issues that have implications for access and equity. First, the four universities are the oldest private institutions in the country. They command about 90 percent of student enrolment in private universities, apart from those in the private programmes of public universities. This critical factor influenced their selection for the study. Second, all these universities are foreign in origin, Daystar from USA, through Zimbabwe, CUEA, from Rome, through the Catholic Bishops of the East African region, USIU, from the US, and UEAB also from the US through the Adventist missions of the Middle East. Actually, all the private universities in Kenya are foreign owned except two. These are Kiriri Women's University of Science and Technology, and Kabarak University. Third, except for USIU, the other institutions covered by the study emphasise that they require observance of their religious beliefs as a condition for admission. This means the universities target a certain clientele based on religious affiliation in addition to the possession of academic qualifications. The religious orientation of the institutions could limit accessibility to students who do not realign themselves with the institutions' religious beliefs. The private universities also admit students from the East African region and the international market. This could limit the extent to which the institutions can design policies to address access and equity objectives in Kenya's higher education system. An even important point that directly relates to the discussion in the next section is the distinction between the for-profit and the not-for-profit private universities. Our research shows that the

not-for profit status is limited to the registration legalities, and not to their actual operations. Institutions registered ostensibly as 'not-for-profit' in Kenya charge fees in the same range as the for-profit ones. The not-for-profit institutions also benefit from a financially endowed network of sponsors and the religiously faithful. Given this fact, one would expect the not-for-profit institutions not to engage in market like behaviour in the design and delivery of their programmes. One would also expect the institutions to widen the net in their admissions to include a substantial proportion of qualifying students who are excluded from university education based on inability to pay or other physical circumstances. These issues are raised in the following section of the study.

The private programmes of the public universities have been designed to generate money. The institutions are supposed to use the money generated to enhance the social responsibility of the institutions. Broadening access to students from all social groups who qualify for admission to university becomes a critical issue for the public universities. Admitting students on the ability to pay tends to exclude poor students who may be better qualified than those who can afford the fees. While lesser qualified fee-paying students might be considered acceptable in the purely private universities, their entry into public universities raises some interesting questions. The point has also been made that since Kenya does not have many university institutions, the few that exist have to combine their teaching and knowledge creation responsibilities. This will require a balance between the business-like and the social function of the universities on the one hand and the teaching and research function on the other. In the next section, the dynamics of access to the private universities and to the private programmes of public universities in Kenya are considered. The discussion is designed to highlight issues related to equity.