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Dynamics of Access and Equity in Kenya's Private Universities and Programmes

Introduction: Conceptualising access and equity

Equity in education is often perceived solely in terms of the number of students gaining access to formal institutions of learning, and more so in terms of the enrolment rate at the first grade of the cycles of primary, secondary and tertiary education. However, this narrow conceptualisation tends to blur pertinent issues that hamper equity in the provision of educational opportunities. The principle that each citizen regardless of economic resources or personal traits deserves and has a right to equal treatment in a social system underlies the demand and support for social equity (Shafritz & Russell 2000). Within a human rights perspective, equity in education must encompass not only the concern for access, but also for participation (staying), performance (achievement of knowledge, skills and attitudes) as well as completion and transition to various benchmarks that determine the future of learners in the world of work as well as in social and personal development.

Because of the diverse ways in which the concept of 'equity' can be presented, misconceptions tend to emerge such that the idea of equity is tangled up with the broader concept of equality, creating confusion about which of the two concepts entails the other. In the context of this study, 'equity' is perceived as stemming from the sense of fairness and justice in the distribution of resources through a process that ensures that the rights of the majority and those of the minority are addressed accordingly and given 'equal' importance in enhancing the quality of human life. In this case, 'being fair and just' refers not so much to the issue of how the majority of the people attain or are accorded their rights, but rather to the conscious and deliberate attention to the extent to which the minority are also accorded, and enabled to pursue their rights as 'equal' human beings. Thus, equity becomes a temporary measure in ensuring that human beings benefit from state resources in a reasonable and relatively inclusive and sensitive manner.

At least two factors seem to explain why equity is an issue, not only in education but also in other sectors of social development. Firstly, observation reveals that

conflicts and disputes in society emanate largely from socioeconomic inequality. The struggle over resources often forms the root of many conflicts and hostilities between and within nations. Secondly, there is a strong link between socioeconomic dominance on the one hand and political domination on the other. Thus, as wealthy nations dominate the poorer nations, within nations the wealthy citizens trample on the rights of the poor people, denying them the means for survival through the unfair distribution of the available resources. This macro practice is widely replicated within smaller social units such as family, where the family member who owns and controls the resources tends to also control its access and benefits, thus lording it over the dependants and determining their position and status in life. More often than not, gender relations have tended to determine the form and structure of dominance within the family, with the men according themselves the dominant role and relegating the women to subordinate positions. This gender arrangement has serious implications for women's access to national resources, including education, which is a key to other development gains.

In modern society, the overriding assumption is that some or all of inequality is wrong. Consequently, this assumption raises the fundamental question: What are the appropriate measures of redress in the face of inequality that result in social inequities? Should the concern for equity prevail over all other values in society or are there other important, if not overriding, social goals above equity values?

In addressing the above questions, it is important to underscore the fact that inequality, as a source of many forms of inequities, means that some individuals are favoured or privileged over others. Also important is the fact that systems that support social inequalities tend to justify their position by appealing to principles of entitlement and merit based upon equality of competition for opportunities. They argue that rewards should be linked to virtue, talent or contribution to society. This argument, typically founded on the liberal democratic traditions, though important and defensible as it appears, raises pertinent questions of morality. For example, if virtues, talent and contribution to society are all that count, is it right to ignore the process and social privileges upon which such talent, virtue and ability are developed and from which other less privileged persons may have been unfairly excluded? Is it not the case that the principle of merit, entitlement and privilege based on ideological positions appears invalid in the face of the empirical evidence? (See Denzin 1998: 139).

While in theory, treating people unequally may seem to be a bad thing (immoral), in addressing practical human concerns, the same treatment may have a different appeal that might even challenge us to consider whether all inequalities are morally wrong. Observations reveal the existence of perceived functional usefulness in some forms of inequalities that might be inevitable, if not morally imperative. Such inequalities are worth highlighting if they guide the process of justice or encourage the production of talent, which otherwise would be difficult to tap. In extreme cases, the defence of inequality borders on helping rid society of those who are naturally weak, lazy or unenterprising and thus supporting a world of 'survival of the fittest'.

Clearly, equity is a contested and often untidy concept whose essence lies, not in an event of distributing resources equitably, but also in the process of ensuring that all human beings will have an equal chance to enjoy the resources available. This renders the concern for justice and fair play a moral imperative in any meaningful debate on equity. Further, while equity is a difficult concept when confined to inequality within groups, it becomes even more problematic in respect of inequality between groups, thus problematising the concept by making it prone to a double standard of application. For instance, discrimination and inequality between groups is often far more objectionable than inequality within them. Notably, inequalities occasioned by racially motivated tendencies or practices such as apartheid tend to persistently provoke national and international condemnation, even from countries characterised by conspicuous and serious internal inequalities based on ethnic animosity or even gender discrimination. By contrast, inequality among individuals is often perceived to be 'natural'. Hence the form of inequality predominantly assumed natural is the one related to gender. Thus, women's social and cultural position is perceived to be socially necessary and rationalised as being closely associated with women's roles of rearing and caring.

In addition, other incidental features are conjured up and manifested in the domestication of the feminine which is then juxtaposed with the supposedly superior and 'free' masculine role that is considered to be in the interests of society, stable family life, proper childcare and, ultimately, of women themselves as dependants of men. This trend in social relations has resulted in the marginalisation of women, not just in their families but also in the wider society in terms of the distribution of, and access to, social benefits relative to men. This unequal distribution of resources translates into inequalities that manifest themselves in the relatively fewer numbers of women in positions of privilege, power, authority, control of resources and decision-making in the private domestic arena and the family as well as the public sphere of the labour market. However, it is important to remember that achieving gender equality is not just a question of balancing the numbers. It implies the provision of proper opportunities for learning and for benefiting from equitable treatment within the school, family and community as well as the same opportunities in terms of access to employment, wages earning and political participation.

Policy approaches to address equity issues in education are underpinned by particular contexts and traditions. In higher education, the manner in which institutional missions are articulated forms part of these contexts. A higher education system that gravitates towards the broadening of access and striking a balance between the interests of clients and broader social responsibility will articulate a liberal learning equity policy. In a context of market choice however, equity is likely to be narrowly conceived, exclusively in terms of the interests of individual clients. Miriam Henry (2001: 29-35) has conceptualised equity within this continuum. At the level of liberal individualism, there is a focus on ensuring that individuals have equal opportunities to access education. This approach aims at changing the social fortunes of individuals through education, not the culture that breeds their continued disadvantage. In the

middle are social democratic policies that focus on the unequal distribution of social and economic benefits. Since these disadvantages are perpetuated through the educational system, equity policies aim to give more resources to disadvantaged groups as compensatory strategies. At the other extreme, market individualism policies that conceptualise equity within the requirements of a market-driven economy add to the negative impact that the culture of education and schools has on women. The emphasis here is not on social redistribution but on competition and individual entitlements. This approach does not take into account long-standing social and economic disadvantage.

This study focuses on both individual liberalism and market individualism as they influence access to private higher education in Kenya. The conceptualisation of the study is that amalgamating the two approaches can enhance the capacity of relevant organs to address equity concerns in Kenya's higher education system. An approach based on broadening access should be accompanied by a recognition of the cultural and economic disadvantages that are barriers to access and performance in education. A focus on socioeconomic differences should match a similar focus on the differences between social groups manifested in categories such as gender.

This conceptualisation ties in with the context of the evolution of private higher education in Kenya. It also takes into account the overall place of higher education in Kenya's development strategy. As has been argued elsewhere in this study, the impetus to the growth of private higher education in Kenya was the need to meet increasing demand. Students qualified to be admitted to university in Kenya come from all social groups, but the majority do not fall into the 'market choice' category, given the high levels of poverty in the country. The majority of the legally registered not-for-profit or demand-absorbing private universities therefore have to design policies of taking in students from all social groups. This is not an absurd expectation given that the institutions are self-financing and rely on student fees. With their religious orientation and their legal status, they have a moral imperative to address the socially excluded and price their courses with this consideration in mind. As noted in Section Two of this study, some of these universities benefit from a rich network of endowments and donations. The expectation therefore is that they should not fix their fees at such a level as to exclude a majority of the students and focus on small elite who are able to pay. However, more importantly, equity considerations require that a diversity of students forms the yardstick of even those institutions structured on market choice operations. The instructional process and the diversity of students should equally be the focus in the institutions as part of the practices to promote equity. This is because broadening of access and relaxed entry criteria mean that some students admitted to the institutions come from a background of low academic achievement and need more resources to compensate for their earlier disadvantages. In any case, the private universities that focus on market choice should strengthen their quality assurance processes as no market prospers with poorly developed skills.

The foregoing discussion shows the connection that there is between equity and quality. Providing access to individuals, groups and regions that would not have had

access to higher education is one way of equalising opportunity. But expanding access should not translate into the provision of low quality education. This is important to note, as doubts are often cast on the quality of programmes in private higher education institutions, especially in Kenya. Perceptions that a private university offers cheap, market-driven, low capitalised courses contribute to this image. As Reehana (undated) notes, quality and access may be directly related in the sense that poor quality may be part of the explanation for why individuals fail to take up opportunities, or the reason why they fail to complete education programmes.

The subsequent parts of this section discuss the operations of private universities and private degree programmes concerning equity. The indicators used to analyse this include access and admission requirements. Specifically, access from marginal groups to the institutions is analysed. The groups are female students, students from poor or marginal regions of the country, the disabled, and students who require a second chance access.

Access and admission requirements

Access is the first critical factor in assessing how given institutions promote equity. In line with Article 26: 1 of the Universal Declaration of Human Rights, the principles of merit, capacity, efforts, perseverance and devotion demonstrated by those seeking entry should determine admission to higher education institutions (UNESCO 1998). A commitment to this notion of access requires that higher education institutions put in place mechanisms that facilitate the entry of the highest number of those who qualify, irrespective of gender, language, religion, economic and other socio-cultural considerations.

In this study, the key question was to establish whether private universities and programmes implement policies to expand access and give an equal chance to all qualifying students. Further, the study explores any implicit institutional regulations or requirements that may exclude some students. An analysis of the mission statements and the academic requirements for students to obtain admission to the private universities enables one to draw conclusions regarding this issue. Table 3.0 summarises the basic criteria for access to the four private universities.

The information summarised in Table 3.0 reveals three basic factors that to a degree influence access to the four private universities. The first is their mission statements that show the philosophies that underlie their academic programmes. Three universities, CUEA, UEAB, and Daystar, place some premium on the training of Christian men and women. There was no indication during fieldwork of any implicit limitation on non-Christian students from gaining access to the institutions. However, interviews with some students revealed that some were not at ease with the rigid Christian ethos that ordered the academic life and programmes of the institutions. Students interested in pursuing secular academic programmes would therefore be constrained in applying due to certain implicit religious expectations. In this regard, students and the public rated USIU favourably due to the secular nature of its programmes and operations.

Table 3.0: Access and admission requirements at four private universities in Kenya

Institution	Mission statement	Academic requirements	Catchment area
CUEA	Promote excellence in scientific research and service to enhance human and Christian living	C+ grade in secondary education and equivalent	National, regional and international
Daystar University	Equip Christian men and women to serve in supportive and leadership positions in various sectors in Africa	C+ grade at secondary education and equivalent	All African countries
UEAB	The provision and advancement of a holistic Christian quality education for the youth to equip them with the skills for service to God and mankind	C+ at secondary level and appropriate contribution	National and international
USIU	Build a humanistic approach through an education that will enable a person to meet the needs of the community through the acquisition of positive attitudes towards life	C+ grade at secondary level and equivalent	National and international

In terms of academic requirements, the four institutions have adopted uniform scholastic criteria, as standardised by the CHE. Indeed an overall grade of C+ at secondary certificate level is the minimum that a student requires to qualify for admission either to a public or to a private university in Kenya. Individual institutions enforce other requirements, but these only determine the academic programmes for which a student may registers, and do not limit gaining access to university. For example, USIU, in addition to the minimum aggregate grade for admission, uses the Maths and English scores as additional criteria for admission. The rationale for this policy is that since the majority of students are from different schools in Kenya that have different standards of instruction, their preparation for university education is far from uniform, K.C.S.E. results notwithstanding. Hence, all undergraduate students admitted to USIU are required to take placement exams in Maths and English. Again, USIU in this respect takes into consideration the prior academic

disadvantage of students and provides extra resources to improve their performance.

In terms of the catchment area, all the private universities have taken a regional and international orientation, admitting students from outside Kenya. The charters for the institutions do not give guidance on the number of students they can admit from outside the country. This may raise issues concerning the commitment of the institutions to their demand-absorbing role, and the interests of the country in which they are located. A situation where they may decide, for whatever reason, to accept more of their students who are non-Kenyan has not been foreseen by the regulatory authorities. This is a positive development given the internationalisation of higher education and the need to expose students to a diversity of cultures. However, the positive aspect of this should be analysed against two related contexts:

- (i) The growing number of Kenyans who do not have access to higher education, and for whom private higher education offered locally should make provision;
- (ii) The fact that by opening admission to regional and international students when the demand in Kenya is not satisfied may mean the exclusion of qualified Kenyan students. This is because where tuition fees are charged at market unit costs, regional and international students from stable socioeconomic backgrounds might have an advantage over Kenyan students.

Lastly, all the universities peg admission to payment of fees. Failure to raise the initial registration fees means that one forfeits one's place. At the UEAB and USIU, late payment of any fees attracts interest charges. The daily interest charge at USIU is 1.5 percent of the average daily balance of the student's account. All the private universities also levy other charges that push the cost of academic programmes higher than the official tuition fees. For example, while USIU officially charges an annual fee of Ksh 137,924 (US\$ 2,682), other charges include a host of items such as boarding and meals, medical, transport, laboratory and computer application and graduation fees, which amount to Ksh 192,220 (US\$ 2,563). This sum is more than the annual tuition fee. At CUEA, the annual tuition fee quoted is Ksh 138,240 (US\$ 1,843), while the other charges average Ksh 12,270 (US\$ 1,637). Daystar with official tuition fees of Ksh 164,000 (US\$ 2,187), levies other charges that total Ksh 110,800 (US\$ 1,477), Ksh 87,000 (US\$ 1,160) of which is a mandatory payment. Again, these fees fluctuate depending on a student's field of specialisation. Students in science-based courses pay slightly more than indicated here. These comparisons demonstrate two points. Students could only afford the cumulative fees charged by the private institutions if they either are from wealthy backgrounds or enjoy sponsorship. This has continued to maintain private universities as elite institutions catering for the interests of those able to meet the fees. Two, contrary to their 'not-for-profit' legal status, the predominant faith-based institutions charge fees as high as the for-profit institutions. The comparison with fees charged by USIU a secular for-profit institution, and the other religious institutions, is telling in this respect. The missions of the private universities that stress either religious background and ability

to pay do not encompass an agenda of opening up the institutions to students from marginal groups who qualify for university but are constrained by financial ability. Indeed none of the universities has an explicit policy regarding equity, including gender – something that the private universities have indicated their desire to excel in addressing.

These observations are critical in drawing conclusions on how the development of private higher education in Kenya has significantly expanded access and addressed equity. One way to address this issue is to look at the proportion of students admitted to private universities from the absolute number of students who qualify for admission to universities annually. The second level is to analyse the demographic profiles of students admitted to private universities to establish if and how they cater for students from marginal groups.

The rate of expansion in the private universities has been rather slow. Even if they were to retain their elite status, there are many more qualifying students with the ability to pay who are not finding placement in the private universities of their choice and at a time that they want to register. This is happening even as the demand for university places keeps increasing each year. The growth in student enrolment in the private universities has not been dramatic in this respect, save for the period before the introduction of private programmes in public universities. For example, the five accredited universities (the four covered in this study, plus Scott Theological College), enrolled 5,210 students in the 1996–1997 academic year (see Table 2.0). This number increased to 7,143 students in the 2000–2001 academic year, 7,639 in 2002–2003, 8,021 in 2003–2004 and 8,342 in 2004–2005. In absolute terms, these figures represented an increase of 6.49 percent, 4.76 percent and 3.8 percent in the respective academic years. Perhaps a more accurate picture can emerge from the comparison of the total number of students who qualify for university admissions.

In the year 2003, 207,730 candidates sat the Kenya Certificate of Secondary Education. About 50,000 of these candidates qualified for admission to university. The public universities admitted only 10,000 qualifiers only – 20 percent of the total eligible. Private universities admitted only 3,000 – six percent (JAB Statistics 2004). Indeed, while the total number of students enrolled in public universities averaged 55,200 in the 2004–2005 academic year, those in private universities combined averaged 10,000 in the same period (*East African Standard*, 8 April 2004). By 2005, public universities enrolled 81,491 public students, while the 17 private universities admitted 10,050 students (JAB Statistics). Overall, the figures of those admitted represent only 0.3 percent of the total population. There continues therefore to be a large unmet market for higher education in Kenya that the institutions are not meeting. This shows that private universities, despite the positive approval that society has accorded them, have not matched these expectations at a rate of expansion to meet growing demand. This has tended to limit access of eligible students, thus undermining equity considerations.

Even if one were to accept the market logic and agree that the private universities can only admit students with the capacity to pay, one cannot understand why the

pace of expansion has been too slow to address this group of students. The private universities covered by this study indicated that they receive more applications from qualified students than they could admit. Consequently, each of the institution has a number of students on the waiting list for admission. There is also no explicit policy in the institution to admit qualified Kenyans first, although in any one admission Kenyans outnumber the total number of foreign students accepted. At USIU, only 66 percent, 80 percent, 76 percent, 77 percent and 83 percent of total applicants were admitted in the years 2000, 2001, 2002, 2003 and 2004 respectively (USIU, 'Data elements to support the capacity and preparatory review report', 2005). Within the same period, about ten percent of the students at the institution fell into the foreign enrolment category. Such a slow pace, although not stated in any official policy, may be a consequence of the market logic that dictates the operations of the institutions.

The total numbers of students enrolled in the private universities are thus not exclusively from Kenya. All the four private universities covered in this study attested to admitting students from the international market. As earlier noted, this causes concern as students from strong economies provide undue competition to Kenyan students when certain market principles, such as the ability to pay tuition fees, defines who gets admission first. This concern is justified given that the pressure to establish and regulate private universities stemmed from the growing demand from Kenyans for higher education.

The achievement of equity through broadening access to private universities in Kenya seems to be constrained by three factors. Significantly, the private institutions do not operate on any stated and broadly defined equity policies. Two the institutions have not expanded fast enough to match the demand for places. Consequently, many qualified applicants have to wait for some time to get admission, thereby replicating the problem at public universities, where students have to wait for a year or so before admission. The admission of international students, some from economically strong backgrounds, may be edging out Kenyan students, especially from economically disadvantaged groups.

The slow pace in the expansion of private higher education in Kenya thus poses some questions. The questions revolve around the hesitation of the sector to expand in the face of demand and the continuing focus on a small elite. Some of the elite students are foreigners. Some are Kenyans working for international corporations. In addition, others are Kenyans who have placed their hopes of a better education and job on these private universities. It is in this respect that, like the import substitution industries, some private universities are perfecting the internationalisation of higher education.

The private programmes in public universities admit students based on ability to pay and academic qualifications. Since the aim of the programmes is to generate income for the universities, there is no consideration of non-fee paying students. Most students in the programmes are either working people or those who are able to marshal individual and family resources to pay the tuition fees.

The socioeconomic background of students in private universities and programmes

The achievement of equity requires that institutions put in place policies to facilitate access to higher education institutions for students who qualify, but cannot enrol due to socioeconomic circumstances. The literature on the growth of private higher education cites the diversity of students seeking admission, and the increasing diversity of economic skills required in the market as part of the driving forces for the growth of private university institutions. Hence, it is reasonable to expect that diversity in demand should be matched with diversity in supply. This is important, as diversity of students is a mark of the quality of institutions even within marketised higher education systems.

Institutions can promote diversity among students in several respects. One is through sourcing scholarships, grants, and bursaries for qualified students from poor backgrounds. Some institutions set aside a percentage of their revenue for this purpose. The second strategy is through institutions offering graduated tuition fees for some category of students. Faith-based institutions that have other sources of finance can take this step for students from poor socioeconomic backgrounds. This means a percentage of poor but qualified students are admitted and the institutions either waive or subsidise shortfalls in their tuition fees, in the spirit of corporate social responsibility. Thirdly, institutions can have work-study schemes that target students from poor families. This possibility should entail a systematic profiling of students from high school to ensure that such schemes benefit deserving students only. In doing so, private universities would be perceived not only to be working on market principles, but also to be striving towards the achievement of social equity.

In Kenya, good quality secondary education and access to competitive faculties in higher education are influenced by the differential socioeconomic endowments that characterise the different regions of the country. Rich regions have managed to develop high quality education facilities and the cultural capital that determines quality. The primary and secondary schools in these regions produce students with high grades that ensure them access to the best-subsidised university education. To have a grasp of how inclusive or exclusive access to higher education is requires an understanding of how these dynamics of access actually work. Kenya also has a well-developed private primary education sector. Every year private primary schools eclipse public ones in examination performance. Of course, children of the poor cannot afford the expensive but high quality education offered in these private schools. Consequently, children from rich families who go to private schools end up taking places in the best public national and provincial secondary schools. This system has, over time, made access to the professional faculties in public universities a preserve of a group of students from rich families. The emergence of a private higher education sector that offers a narrowly conceived curriculum and pegs admission on ability to pay can only make a bad situation worse.

Public universities now operate two systems. There is the public one where students admitted are those that qualify through higher marks from high school. Tuition fees for these students are heavily subsidised by the government. The second system embraces the fee-paying students. Given the dynamics of secondary school selection, the majority of students who end up at the public universities under public subsidies are those from rich backgrounds who went to good public secondary schools via private primary schools. Private universities also target this group of students whose families have the capacity to meet tuition expenses. This means that a majority of qualifying students who do not have immediate alternatives are from modest economic backgrounds. They include students from Kenya's arid regions with a low economic potential and consequently a situation of educational underdevelopment. According to statistics from JAB, which regulates student admission to public universities, this trend still prevails. Table 3.1 summarises information related to the admission to public universities of students from different socioeconomic clusters in Kenya. The information shows the small number of students from the weaker socioeconomic regions of the country who are admitted to public universities.

Table 3.1: Public university admissions from disadvantaged (ASAL) regions as a percentage of the national intake

Years		No. Registered for KCSE	No. Eligible for admission (C+)	No. Selected
1998	Disadvantaged regions	10,036	1,479	370
		169,357	30,243	8,150
	National percentage	5.3%		4.0%
2000	Disadvantaged regions	9,597	1,796	449
		178,608	40,491	11,147
	National percentage	5.3%	4.4%	4.0%
2002	Disadvantaged regions	11,298	1,974	437
		198,076	42,720	10,923
	National percentage	5.7%	4.6%	4.0%

Source: Report of the JAB sub-committee on review of admission criteria, May 2005

From Table 3.1, it is evident that students from economically disadvantaged regions have a lower chance of gaining admission to university. The number of districts (regions) in Kenya classified as ASAL due to their low economic potential and geographical location constitutes over one third of the total. This situation therefore affects a significant proportion of Kenya's population. The ASAL regions not only register an insignificant number of students for the Form Four university entrance examination (an average of five percent), but also only provide an average of four percent of those students actually obtaining admission to university.

An analysis of responses from student questionnaires and records shows that private universities and programmes have accentuated the above trend. Strikingly, none of the private universities kept an up-to-date education management system

profiling the socioeconomic and regional backgrounds of their students. The religious based private universities reflected this failure in their missions. Since they were religious institutions, profiling of students is discouraged on the grounds of avoiding putting artificial distinctions on human beings who are 'equal in God's eyes'. The institutions interpreted the practice positively as one aimed at promoting 'equality' among students. The universities put a higher premium on the ability of students to pay tuition fees over everything else. Though private universities have some tuition support programmes, they do not have a clear criterion to ensure that admission of students redressed the regional imbalances that have been a major source of regional human capital inequalities and social inequality in Kenya. The responses from CUEA summarised in Table 3.2 largely reflect the regional profiles of students in public and private universities in Kenya

Table 3.2: Regional representation of students at CUEA, 2003

Region	No.	%	% Within national population
North Eastern	0	0	0.3
Eastern	12	16.4	16
Central	14	19.2	13
Western	14	19.2	12
Coast	1	1.4	9
Rift Valley	12	16.4	7
Nyanza	13	17.8	15
Nairobi	7	9.6	25
Total	73	100	100

Source: compiled from field data.

Table 3.2 corroborates the information in Table 3.1 that most students in private universities come mainly from the better-off economic regions of the country. These same areas have traditionally benefited from the quality of educational provision. By extrapolation therefore, and since private universities insist on registration first before any financial assistance is arranged for needy students, most students who access private universities and programmes are from middle and high socioeconomic backgrounds. In addition, a sizeable proportion of students admitted to private universities and programmes are actually working and can raise their tuition fees from salaries. At USIU, the largest private university, about 30 percent of students were in part-time evening classes because they had to work during the day.

Most students enrolled in the private programmes of public universities are in formal employment. Many of these students attend their programmes in the evenings, over the weekends and during the holidays (for teachers). The private students raise fees from various sources. There are those who are sponsored by their employers. Others use personal savings and loans with their salaries as collateral. This means that the majority of the private working students afford the tuition fees charged by the universities with ease. For example, at the University of Nairobi, a record 244 students

graduated with an MBA degree in 2003. Out of this, only 50 were regular students, whereas the rest were privately sponsored (University of Nairobi, Graduation Booklet, 2003). At the University's Parklands Law Campus, only 600 students were registered as regular against 1,400 privately sponsored students in 2004. This illustrates a trend where public universities are limiting the number of regular students to professional courses to create more space for those with the ability to pay.

At Kenyatta University, the second largest public university, and the largest teacher training institution in the region, the trend is the same. Most of the courses are tailor-made for serving teachers, and possession of a professional certificate is a requirement for admission. These admission policies are more suited to students who are working and therefore constitute a middle and high SES class. The working students also take more places in the professional courses. Whereas public universities have reduced the number of students admitted to regular programmes, citing resources and space as constraints, they admit double the number of private students to the same programmes, without citing any constraining factors as long as the students pay.

The increasing privatisation of programmes in public universities is good for the financial stability of the institution. However, the developments are not tenable from an equity perspective. A majority of the students now being admitted under the private category did not in the first place qualify to enter university competitively. However, with privatisation, they can be admitted not only to public universities but also to competitive professional faculties like medicine, law and engineering whose tuition fees are much higher. This disadvantages students from poor backgrounds who cannot be admitted to such professional courses even with better grades. Students from rich backgrounds, who score say a grade B- from high school and cannot be admitted to professional courses under the regular category, eventually enrol in the same courses through the private programmes.

Another contradiction exists. Students who join private programmes in public universities do not access loans from the Higher Education Loans Board (HELB). However, those in purely private universities are allowed to access these loans. HELB is a public body capitalised through public funds. To allow one section of private students to access such funds while locking out others is a clear manifestation of inequity. The assumption here is that since private programmes in public universities were started to generate money, students who apply for them are well-to-do. The same argument could be used for those in purely private universities. This reasoning is however ignored. Economically disadvantaged students who enrol in the private programmes of public universities are in this case excluded from accessing tuition loans while their counterparts in the private universities from rich backgrounds get consideration. Such admission procedures contribute to widening social inequalities in the broader social context.

Equity objectives can be undermined by the amount of tuition and other fees that institutions charge. Some of these charges have been discussed above. The slow growth of student numbers in private universities may be a pointer to the fact that the amount of tuition fees charged can be afforded only by a few of the elite.

Data on students who had dropped out due to non-payment of fees were not available at any of the universities. Private universities insisted on fee payment well in advance of commencement of studies. The profile of students in private universities as a small elite from economically advantaged backgrounds, some working in international organisations, implies a clientele with not only the capacity but also the culture of paying upfront for services. The clientele is absolved by circumstances, from the working class mentality of protracted negotiations and delayed payments. This does not however mean that private universities do not have financially deserving students. But they would constitute the minority and their level of need might be minimal.

At the public universities, it was difficult to confirm which students had dropped out due to lack of finances and which had taken time off due to reasons unrelated to finance. The picture created was that private universities and programmes in public universities were going on well. Students were being admitted based on their ability to pay and more were willing. The limitation was the capacity of the institutions that was not expanding. This however could be misleading.

As already, indicated public universities admit about 20 percent of qualified students annually. Another 15–20 percent would be entering through the private programmes. With an annual growth in student intakes averaging four percent, the private universities combined admit 15 percent straight from high school and five percent as continuing education students. The overall picture formed by this study is that 60 percent of the students who qualify to enter universities straight from high school in Kenya are not placed. This is the number that explains the different facets of inequity in higher education in Kenya. Table 3.3 is a comparative summary of the average annual tuition fees paid in private universities and private programmes in public universities at the time of the study. The Table serves to illustrate further that despite their different registration statuses all private universities and programmes in public universities shared in the commercial motive in their academic offerings.

Table 3.3: Average annual undergraduate tuition fees in private universities and programmes in Kenya

Institution	Average Annual Fees					
	Arts-based courses		Science-based courses		Competitive professional courses, e.g. medicine	
	Ksh	US\$	Ksh	US\$	Ksh	US\$
USIU	189,936	2,532.48	200,636	2,675	-	-
CUEA	138,240	1,843.2	162,000	2,160	-	-
UEAB	217,000	2,893	217,000	2,893	-	-
Daystar	164,000	2,187	184,000	2,453	-	-
Kenyatta	100,000	1,333	120,000	1,600	-	-
Nairobi	80,000	1,066	320,000	4,266	500,000	6,666

Source: compiled from field data. The Table is a summary of average tuition fees. Other charges such as meals, accommodation and transport have not been included. The professional courses such as medicine, actuarial sciences, engineering and computer technology are offered at the universities of Nairobi, Moi, and Jomo Kenyatta University of Agriculture and Technology. One US Dollar = 75 Kenyan shillings.

It is evident from the table that average annual tuition fees in private universities and programmes in public universities range from US\$ 2,000 to US\$ 2,500 per student. Tuition fees for professional courses in public universities begin at around US\$ 6,000. According to the Government of Kenya Economic Statistics (2003), about 60 percent of Kenyans live in poverty, 49 percent of whom are in the rural areas. Given these poverty levels among most of the population, the range of fees charged by private higher education institutions would be too high for most qualified Kenyans. The annual income even for the majority of salaried Kenyans does not exceed US\$ 2,400. Since charges in the Table have not taken into account other expenses, it is practically impossible for most families, even from the average working class, to access private higher education. This partly explains the continuing low intake of students to private universities that has averaged six percent of the total qualifiers over the years. The general picture here is that the access of new regular students to private higher education institutions and programmes that have been marketised is severely limited. The use of ability to pay as a key admission requirement to private higher education has both quality and equity implications. Students from rich backgrounds are using money to buy university education they do not deserve or need in the first place at the expense of those from poor backgrounds to whom education is the only available avenue for social mobility.

Private universities operate work-study and other student financial aid schemes. For example at Daystar University, students could work on campus for ten hours a week and earn up to Ksh 60,000 (US\$ 800) a semester as tuition fees. At UEAB, a student could earn up to Ksh 2,500 (US\$ 33) per month, which is credited to the student's tuition account. At the USIU, the financial aid office organises students to get financial assistance for their academic or professional programmes. However, the operation of the work-study programmes and student financial aid schemes does not necessarily promote equity or target deserving students. Students who would be considered are those that have already joined the institutions. This means one has to raise the initial registration and maybe a semester's fees. Students from poor families may not have this option. In other words to obtain any mode of financial assistance in the private universities you have to offer some proof of financial ability, a contradiction in this respect. The religious leaning private universities add other considerations for students who wish to be considered for tuition support. The policy of the universities is that awards are made on the basis of academic achievement and financial need. Character and leadership references indicative of one's commitment to the university and active commitment to one's faith' are added crucial considerations.

Overall, the total numbers of students benefiting from financial aid schemes are few in all the universities and the amount of tuition support is graduated, depending on the perceived level of need. At UEAB, the study team was given a list of 120 students who were engaged in work-study programmes. The university does not have a policy of direct tuition support. At USIU, an average of ten percent of the undergraduate students enrolled receive some tuition support each academic year. Students in the private programmes of public universities are not entitled to any form

of tuition support either from the institutions or from the government. Generally, the dynamics through which tuition support operate exclude qualified students from poor backgrounds. This significantly contributes to inequities throughout private higher education. Regardless of their self-financing and commercial leanings, private higher education institutions should plough some of the income they generate into the communities. Assisting qualified but poor students could perhaps be the best way for the institutions to integrate a public service component into their operations.

Gender equity in higher education: Focusing beyond the classroom

The fact that both social and private returns to investment in education are not equal but also slightly higher for girls than boys is generally accepted the world over. Returns to investment in women's education and health are significantly greater than for similar investment in men, largely because of the strong interaction of women's education, health and nutritional status, and fertility levels and their effect on the education, health and productivity of future generations. Research demonstrates that at a social level investing in the female human capital resource will generate important benefits for society in the form of lower child mortality, higher educational attainment, better nutrition, and slower population growth. In addition, evidence abounds that under-investment in women's education limits domestic productivity and hampers other social and developmental gains, including family health, political action and personal growth. Since the early 1990s, it has been established that education for women may yield the highest return of all investment available in developing countries, considering both private benefits and returns to other family members (World Bank 2004). Logically then, the perpetuation of gender inequalities can only increase inefficiencies that retard national growth, in terms both of human capital and of economic productivity.

Surprisingly, but nonetheless true, the total earnings of women amount, on average to 30 to 40 percent less than those of men (World Bank 2004). Hence, it is not surprising that fewer women than men participate in the labour force. A vicious circle ensues as households invest less in daughters than in sons in the belief that investment in girls yields fewer benefits. As a result, many women in Kenya do not get a useful education, and hence do not work outside the household as salaried workers because, evidently, they lack the relevant education, skills and experience that many of the men have.

Discrimination in households and in the labour market carries not only private costs for individuals and households but also social costs for society. This is despite the fact that the decision for women not to participate in the labour force does not necessarily reflect the woman's own choice, nor does it always correspond to the optimum use of household resources. Rather, it is a function of shortcomings in the attention given to the process of ensuring that women and men, in their differences and similarities, are enabled to acquire the education that they deserve.

Typically, most women have the responsibility for non-wage household work, such as childcare, food preparation, and, in low-income countries especially, subsistence farming and the collection of wood for fuel and water. The decision to allocate

women's time to these activities has less to do with economics than with social conventions and norms. Even in the industrialised economies, where women's average levels of human capital are equal to, and sometimes higher than, those of men, women perform the bulk of household work. Whether this division of labour is appropriate is, essentially, for society to appraise and react to. Undoubtedly, education and employment for women, as a group, is often affected directly by the extensive amounts they devote to household maintenance and family care. Research reveals that most men do not allocate similar amounts of time to the home. Consequently, the inequalities of time allocation of the household division of labour constrain women's employment choices and often limit girls' benefits from schooling. Ultimately, the economy pays for this inequality through reduced labour productivity and diminished future national outputs.

The causes of the persistent inequalities between men and women are complex. Firstly, many governments do not seem to prioritise the causes of the status quo beyond mere rhetoric. Secondly, social institutions, particularly the family, school and community, tend to reinforce rather than deconstruct gender boundaries, thus helping to perpetuate the foundation of gender inequalities. Because of this, few societies in the world accord women the same opportunities as men. Often, the women work longer hours and are paid less, both in total and proportionately. In addition, their time, in both work and leisure, is much more constrained than for men. These disparities generate substantial gaps between how much women and men can contribute to society and, respectively, how much they share in accrued benefits. In most countries, a fundamental aspect of these disparities, which is both one of their causes and one of their continuing consequences, is inequality in access to and performance in education, right from primary schooling to higher learning. Of concern is the current tendency to emphasise equity of access for girls and boys at primary level as a quick fix for gender disparities in higher education while little is done to ensure that the majority of girls survive the lower levels of schooling. This serves to expose the lack of holistic approaches that would account for continuity and successful transition of both the girls and the boys to higher levels of learning. Because the ensuing educational inequalities are so deep-seated, surmounting them within the individual levels of education is bound to continue failing.

Essentially, the continuing prevalence of educational inequality, particularly at higher levels of learning, should serve as an important indicator of serious problems pertaining to gender issues at the lower levels of education. While countries of the world have pledged to eliminate gender disparities in primary and secondary education by 2005, this attainment remains a mirage for many of them. This situation tends to validate the doubts raised by UNESCO (2004) regarding the possibility of achieving equity in higher education in the near future.

The education sector, particularly in the developing countries, and more so in sub-Saharan Africa, is bogged down with serious problems ranging from declining enrolment rates at the different levels, reduced investments per learner, erosion of quality of education and low levels of student achievement. In all these problems,

gender disparities are highly pronounced at the university level where only less than a third of all enrolled students are female. Although over the years this region has recorded rising trends of female as a percent of total enrolment, it is noteworthy that much of this progress has been apparent mainly at the primary level where government subsidies and support from the international donor community has done much to increase universal primary enrolment levels. However, these gains hardly translate into increases in university education for girls and women. Due to unfavourable circumstances as expounded in this study, the fate of most girls and women in higher education in sub-Saharan countries seems to have been sealed right from primary school and even from their homes and communities. Enrolment trends of around 45 percent at the primary level and only 40 percent at the secondary, are just but one confirmation of what is to be expected at university where men have dominated and continue to dominate and benefit from higher education (World Bank 1995). In this context then, it is fair to argue that attempts to enhance gender equity at university are bound to remain a theoretical luxury as long as gender equity issues are dislocated from the broader discourse of deconstructing the many sites of inequality, all of which interact with formal education at various levels.

Privatising higher education in Kenya: A slap in the face for gender equity

Firstly, it is worthwhile to ask whether private or public universities have remained a preserve for the development of male human capital. Secondly, the privatisation of higher education does not necessarily help improve gender equity but may rather help to enhance the existing socioeconomic gaps by enabling both the girls and boys from wealthy families to participate in the commercialised institutions of learning. Although statistics may indicate that private universities have a relatively better female-male ratio compared with public universities, the national ratio continues to underscore the fact that, as a group, women continue to be locked out of higher education. First, it should be pointed out that private universities and programmes in public universities do not operate with any explicit gender policy concerning their admission procedures. This is despite their operations in a national and international context that require affirmative responses to redress gender inequities in resource allocation.

In Kenya, women constitute over 50 percent of the population but 70 percent of those who live in poverty (Republic of Kenya 2004). According to this report, female enrolment averaged 49 percent, 48.2 percent, and 30.8 percent in public primary, secondary and tertiary levels respectively in 2004. The share of female students in private universities was 54.5 percent from an absolute enrolment of 8,021 students. Redressing this situation requires proactive policies that should guide institutions in their admission and conduct of academic programmes. In so doing, private higher education would be enhancing, not diminishing, its long-term commercial interests. Building a strong female social capital now in countries with higher female populations would widen the client base of higher education in the future. Public universities have adopted policies on affirmative actions in favour of increasing female education. Over the years, the policy has enabled female students to be

admitted to the public universities at one point lower than their male colleagues. This policy however does not benefit students in the private programmes of public universities. The affirmative policy also does not influence the admission of female students to competitive professional faculties.

The private universities and programmes do not operate on any affirmative action policies – or gender policy for that matter. Private universities and programmes function on a commercial basis and have no formal mechanism to address the issue of gender in admissions. Private programmes in public universities also have this limitation. Hence, it would be incorrect to claim that the mission of private universities and programmes is to enhance gender equity because logic demonstrates that only rich families can afford to register their children at such institutions. It is also insincere for the private universities to claim that they are addressing the issue of gender inequities in higher education.

Table 3.4: Student enrolment by gender in public and private universities in Kenya, 1999–2000 to 2003–2004

Institution	1999–2000		2000–2001		2001–2002		2002–2003		2003–2004	
	M	F	M	F	M	F	M	F	M	F
Public universities										
Nairobi	8,419	3,523	10,532	4,302	15,426	9,270	16,200	9,486	16,991	9,720
Kenyatta	4,188	3,008	5,942	4,010	6,831	4,984	10,737	4,998	10,753	5,023
Moi	3,483	2,312	4,753	3,766	5,469	3,869	6,275	4,549	5,804	4,643
Egerton	7,131	2,842	6,629	2,356	6,816	2,284	6,975	2,387	6,908	2,444
Jomo Kenyatta	2,511	626	2,992	1,288	2,565	1,115	3,184	1,404	3,203	1,454
Maseno	2,338	1,385	2,596	1,538	2,531	1,518	3,505	2,130	3,429	2,178
Subtotal	28,070	13,696	33,444	17,260	39,637	23,040	4,6875	24,957	47,088	25,462
Private Universities										
Private accredited	3,186	3,816	3,093	4,050	3,122	4,089	3,476	4,163	3,650	4,371
Private not accredited	777	346	876	472	949	511	748	742	763	757
Subtotal	3,963	4,162	3,969	4,522	4,071	4,600	4,224	4,905	4,413	5,128
Total	32,003	17,858	37,412	21,782	43,708	27,640	51,099	29,862	51,501	30,590
Grand total	49,891		59,194		71,348		80,961		82,091	

Enrolment in public universities includes those in private degree programmes. All enrolments include students enrolled in non-degree programmes.

Source: Ministry of Education, Science and Technology.

The higher percentage of female students registered in the private universities and programmes however needs to be explained. First, more female students are shut out of public universities annually. This is due to a combination of factors that have been alluded to earlier. More female students are in provincial rural schools that do not have adequate resources and a small percentage of these students obtain places

in public universities competitively. Clearly more of them would seek admission to private universities – that is, if they can afford to pay the exorbitant fees and not because of any affirmative action. The bottom line is that such girls are paying more to attain higher education. Indeed, one of the arguments put forward during the time of this study by private universities was that in a culture that marginalises women, the enrolment of female students was more than male students in most of their programmes. This is not however a consequence of any formal institutional policy or practice that encourages the enrolment of female students. Second, private universities offer most courses in the Arts and Humanities. These courses have not only been feminised but are cheaper. The high enrolment of female students in private universities can therefore be a source of perpetuating gender inequities given the curricula of the institutions that shepherd women into traditional feminine disciplines that attract lower remuneration in the job market.

It is evident from Table 3.4 that private universities enrol a higher number of female than male students, although in absolute terms there are more female students in public universities than there are in private universities. However, as already discussed, the institutions do not have any institutional policies to promote the higher enrolment of female students. Students just happen to enrol and more of them happen to be women. In this regard, it should be noted that public universities have tried to redress this situation through a series of affirmative action strategies. It should also be noted that analysis within individual public universities reveals a tendency where more women enrol in certain disciplines that have traditionally been considered ‘soft’ and amenable to the female gender. For example, Jomo Kenyatta University of Agriculture and Technology attracts few female students due to its purely practical science orientation in terms of courses offered.

Admission of students to the private programmes shows up another important development. At the University of Nairobi, the enrolment of female students in some of the private programmes is sometimes more, in others almost at par, with male students. For example, this study established that female students comprised 45 percent of the enrolments in the MBA programme in the 2003–2004 academic year. The ratio of female to male students in the faculty of medicine was 55:45 in the same period. An expanded vision of equity in terms of women accessing professional courses is therefore realised more through the private programmes of public universities. This is due to the diversity of their programmes. The higher enrolment of female students in private universities was also not unique to these institutions. It is happening in Kenya in institutions that tend to offer more of what are perceived to be ‘traditionally female’ academic disciplines. By popularising their programmes on a narrowly conceived gender equity perspective, private universities are in fact contributing to gender inequity in terms of human capital endowments. This they do by channelling women into academic and professional courses that do not give them an edge in the labour market (both in terms of the relative perception of value of knowledge and skills acquired, and wage structures).

While it might be assumed that women and men are free to enter higher education institutions and to pursue studies equally, empirical evidence of the actual practice disproves such an assumption. The history of the rise of universities embracing Greek, Roman and Islamic civilisation offers little evidence of women being accorded equal rights to education with men, let alone university education, private or public. Examples of struggles for gender equity in higher education are cited in studies dating way back to the rise of medieval universities and scholasticism, where graduate students and 'masters' were exclusively male (perhaps explaining the title 'master', which in the English language denotes maleness). Apparently women did not enjoy the privilege of attaining such high levels of education and even at lower levels, they could only learn under private tutors or nuns, thus denying them public education and competition in the institutions of higher learning. In medieval Europe, for example, the university started as a 'community' of scholars all men, with the authority to confer degrees. Despite the actual origins of these earliest universities being obscure, available records indicate that students who were sent to university at a much younger age than is now customary were only boys. The girls were kept out. As university education flourished during the Middle Ages, it was not generally encouraged for women. However, wealthy households were able to employ poor university students as tutors and on such occasions, girls were sometimes permitted to join the tutoring sessions of their brothers. Such historical scenarios provide a fair reflection of contemporary private universities, in which only girls from wealthy parents have equal privilege to higher education alongside boys and men from similar socioeconomic backgrounds.

Instructive examples derived from experience as recently as the beginning of the twentieth century in Europe (the major coloniser of the African continent) reveal just how difficult it was for women to acquire university education. In England, for instance, the women themselves pioneered their agenda to enter higher education amidst considerable resistance from the men. By the nineteenth century, a few women such as Emily Davies, Josephine Butler, Selina Billington Greig, and Eleanor Sidgewick agitated for university education for women and argued vehemently that without a university degree it was very difficult for women to enter the professions. After lengthy struggles that spanned the nineteenth and early twentieth century, the medical profession allowed women to become doctors. Even then, by 1900, there were only 200 women doctors in England and it was not until 1910 that women were allowed to become accountants and bankers. As a practical demonstration of commitment to female higher education, Emily Davies and Barbara Bodchon helped set up Girton University College for women in Cambridge in 1870 (Spartacus Educational 2001). A decade later in 1880, Eleanor Sidgewick set up Nenham College, yet another women's only college in Cambridge of which she became the principal. However, even with these bold strides by women educationalists, the university authorities treated the colleges with suspicion and even refused to recognise Girton College. In addition, as if to add insult to injury, the University of Cambridge did not accord degrees to women until the mid-twentieth century.

What these English women did was to try to locate women's roles within changing gender dynamics that required a balance between the private and public arenas where men and women interacted in social and economic development. They exposed as unfounded the fear that most men of their time (and many of today) tend to harbour against women entering higher education. These examples drawn from the history of women's university education in the land of the former colonisers of the African continent do not reveal any substantive differences from the experience of higher education for contemporary African women whose educational careers often collapse before they can set foot in a university. Since universities in sub-Saharan Africa derive their traditions from histories of colonisation that devalued education for women right from the early stages, it would be foolhardy to expect contemporary educational practices to deviate in any significant way.

Undoubtedly, African governments have taken long to acknowledge the enormity of educational injustices committed against women and the need to redress them decisively. The gains of this realisation that have been achieved through affirmative action are being eroded with similar zeal through the privatisation of higher education. Currently, many African governments have put in place policies of affirmative action as the humane way of righting past wrongs and thus making institutions of higher learning more gender inclusive. Unfortunately, the number of women accessing university education through this strategy remains a drop in the ocean – metaphorically speaking. What are needed urgently are creative and pro-active ways of addressing gender disparities from lower levels of education.

Firstly, existing evidence of the relatively high private and social returns to investments in women and girls has been indisputable. Secondly, in the light of existing evidence, it would be illogical for any government not to invest in women's higher education as key in human capital development. Hence, reason dictates that general policy interventions may not be adequate in ensuring gender parity in higher education or even enhancing investment in human capital unless they target girls and women specifically, outside and within community and family settings. This sort of targeting is justifiable for two reasons, the first one being that women are disproportionately represented among the poor, unemployed and uneducated. Hence, targeting girls and women could be an effective strategy for reducing poverty and consequently being able to eradicate other factors that have continued to hamper development of female human capital through a relegation of women to low-level education and training. Secondly, we need to accept that the mission of universities is not a charitable one but a commercial one. Hence, increased female enrolment in such institutions has little to do with ensuring gender parity and more to do with tapping the wealth of rich families whose children could not qualify for public universities, and many of who happen to be girls. Short of affirmative action and providing scholarships or bursaries to girls, no institution of higher learning can claim to address gender inequities that negatively affect the education of women and girls (see World Bank 1995:10-11).

While superficially gender equity is about numbers and representation of women and men in public life and in education, it is important to take cognizance of the fact that equity per se cannot be a panacea to the deep-rooted causes of social inequality, including gender inequality. Access to educational opportunities at the primary level and the secondary sector, relies on a combination of factors, with gender being key. Central to this concern is the legacy of neglect by discriminatory historical systems that created problems that are likely to persist for a long while. Hence, national governments need to develop appropriate policy frameworks that would guide transformation within educational systems.

Diversity of academic programmes as an indicator of equity

It has been pointed out elsewhere in this study that the type of programmes offered in universities should include an equity component. This is not only in terms of giving students an equal chance of joining academic programmes of their choice, but that universities design programmes that contribute to human capital development in areas that society most needs skills. Put it another way, the broadening of access to higher education institutions should be concentrated in areas that will benefit most members of society in terms of professional skills utilisation. In Kenya, the *Report of the Presidential working party for the establishment of the second university* had identified such areas to be industrial technology, agricultural engineering, veterinary and human medicine, and forestry, with aspects of sociology integrated in all these areas. What this meant was that any future expansion of higher education would be along these lines if skills from higher education were to be equitably distributed among the Kenyan population. The question that this study sought to address in this respect is the extent to which the privatisation of higher education has contributed to human capital development in such key areas.

For purposes of comparison, Table 3.5 is a summary of competitive degree courses in public universities – courses that most students apply for but that the universities do not have adequate space to admit all the applicants. These are the areas that the Kenyan population requires skilled personnel, especially to move qualified professional people from the urban to the rural areas.

Public universities offer a total of 178 degree programmes, out of which less than 30 are rated highly with regard to their responsiveness to social needs. If the imperative for privatisation was to fill gaps in terms of unmet demand, to what extent have private universities and programmes met these expectations? In Table 3.6, a summary of the major undergraduate programmes in private universities is given.

Private universities have focussed on offering courses that require less financial investment to establish. Most of the private universities therefore have avoided critical programmes such as Medicine and Engineering. These subjects had been identified to constitute areas where the country lacked a skilled work force. Unmet demand in some of these technical areas is partly what fuelled the need to expand higher education through privatisation.

Table 3.5: Competitive degree programmes in Kenya public universities

Institution	Programmes
University of Nairobi	<ol style="list-style-type: none"> 1. Bachelor of Science (Agricultural Engineering) 2. Bachelor of Commerce 3. Bachelor of Science (Civil Engineering) 4. Bachelor of Science (Electrical Engineering) 5. Bachelor of Science (Mechanical Engineering) 6. Bachelor of Law 7. Bachelor of Dental Surgery (B.D.S) 8. Bachelor of Pharmacy 9. Bachelor of Medicine and Bachelor of Surgery 10. Bachelor of Science (Nursing) 11. Bachelor of Science (Actuarial Science) 12. Bachelor of Science (Computer Science)
Kenyatta University	<ol style="list-style-type: none"> 1. Bachelor of Commerce 2. Bachelor of Science (Computer Science) 3. Bachelor of Science (Telecommunication and Information technology) 4. Bachelor of Science (Computer Engineering) 5. Bachelor of Science (Software Engineering) 6. Bachelor of Education (Science) 7. Bachelor of Education Special Education and Early Childhood Education)
Jomo Kenyatta University	<ol style="list-style-type: none"> 1. Bachelor of Science (Biochemical and Processing Engineering) 2. Bachelor of Science (Electrical and Electronic Engineering) 3. Bachelor of Science (Mechatronics Engineering)
Moi University	<ol style="list-style-type: none"> 1. Bachelor of Technology (Production Engineering) 2. Bachelor of Technology (Electrical and Communication Engineering) 3. Bachelor of Medicine and Bachelor of Surgery 4. Bachelor of Technology (Chemical and Process Engineering) 5. Bachelor of Science (nursing) 6. Bachelor of Technology (Computer Engineering)

The high entry costs into engineering and technology-based courses seem to keep private universities from venturing into these academic fields. It is also true that, at the time when most of the private universities were accredited, about 82 percent of Kenyan students who went to higher education in India were in either Commerce or Arts 'soft' degree programmes (Deloitte and Touche 1994). However, this was more of a second choice alternative as competitive courses such as medicine and engineering are not easily open to foreign students who go for higher education in India.

Table 3.6: Key degree programmes in private universities in Kenya

Institution	Programmes
Daystar University	Bachelor of Arts and Religious Studies, Communication, Community Development, Music, Psychology Bachelor of Commerce Bachelor of Education Bachelor of Science (Economics)
USIU	Bachelor of Arts (International Relations) Bachelor of Arts (Journalism) Bachelor of Arts (Psychology) Bachelor of Science (Business Administration, Hotel and Restaurant Management, Information Systems and Technology, International Business Administration and Tourism Management)
CUEA	Bachelor of Education (Arts) Bachelor of Education (Science) Bachelor of Arts Bachelor of Laws Commerce
UEAB	Bachelor of business Administration Bachelor of Education Bachelor of Arts Bachelor of Science and Technology Public Health

Source: Field data.

The conclusion here is that private universities have been able to respond to skills in two areas. One is commerce and business administration. In the 2004–2005 academic year for example, USIU registered 1800 undergraduates in this programme. Strathmore had 550 undergraduates registered in the same programme. By comparison, the University of Nairobi registered 2514 undergraduates for the same programme. The other programme is MBA where USIU registered 300 while Nairobi had 1364 students. Private universities do not offer other professional courses such as engineering, computer science, medicine and law. The University of Nairobi that offers the programmes only manages to register 30 percent of the students. This leaves a huge unmet demand that the private universities are not responding to, due to a lack of programme diversification. Private universities have also concentrated on offering vocational subjects that were previously offered at middle level colleges. Because of this situation, a good percentage of students in private universities are in non-degree programmes. This raises two critical issues related to private higher education and national development. One is whether the private universities have added any value to the vocational programmes they offer different from what the middle level colleges used to do. This implies that their contribution to an equitable distribution of highly needed professional skills among the Kenyan population has

been negligible. The second relates to need to have a large private university sector that has most of its students in non-degree programmes in a country where qualified students for degree level education often miss out on places in universities. As the private universities indicated, they keep applicants on the waiting list for some time before admission is granted, sometimes due to lack of space.

Admission of students with disabilities

According to UNESCO (1998) with regard to the provision for students with disabilities in higher education, the extent of affirmative action for disabled students should include admission policies and institutional support and services. This provision recognises the fundamental role of higher education in the promotion of human rights and democracy. It should therefore be accessible to all on an equitable basis. Some higher education institutions all over the world in recognition of the special circumstances of disabled students and the need to promote equity have certain provisions to increase access and the completion rates of such students. Such provisions include.

- Modified entrance criteria and preferential treatment in choice of subjects;
- Modified entrance criteria that entail a lower examination score threshold for admission or exemption from certain courses;
- Preferential treatment in which students with disabilities are assigned to a department of their first choice provided they meet the minimum requirements.

The access of students with disabilities to higher education may be limited by the lack of adequate and appropriately adaptive facilities to support learning. Of course, depending on the type of disability, such students need different provisions that may require more financial input from the institutions. Students with motor impairment may not for example need as much compared to those with visual, learning, medical or psychological impairment. Since these provisions have cost implications, it is important to establish if private higher education institutions have policies to cater for such students.

The four private universities studied do not have provisions for disabled students in terms of academic programmes and extra-curricular activities. The institutions admit students with minor motor impairment but not on any special scheme, as they are considered 'normal' enough to participate in the activities of the institutions. While some private universities boast of having an edge in the use of information and communication technology, they have not considered using such systems to benefit the hearing and visually impaired students who aspire to higher education. Deliberate policies for admission of disabled students are therefore non-existent in private universities. Among public universities, only Kenyatta University has a policy of admitting disabled students to both public and private programmes. The university also runs a special education programme that trains teachers for students with various disabilities. However, the students do not qualify for government sponsorship and this has tended to limit their numbers.

Conclusions

This section has analysed the dynamics of access and equity to private universities and programmes in Kenya. Access policies related to the operation and mission of the universities, the socioeconomic background of students, gender considerations and admission of students with disabilities have been examined. Data gathered show that the private higher education sector operates in a manner that exacerbates social inequities. In the short-term, the sector places a premium on fee payment, which is priced above the incomes of most Kenyans. This is because of two reasons; one since private universities and programmes in public universities have been established for commercial reasons, the ability to pay tuition fees takes first place over everything else. This situation obtains even for religious institutions that have been established as 'not-for-profit'. Second, there has not been a significant change in the paradigm within which private higher education institutions had been established. Hence, they have continued the process of providing higher education to an elitist class that can afford their charges. In doing so, no fundamental innovations have been made in terms of initial access, admission requirements, gender, diversity of programmes and admission of students with disabilities to ensure that social classes that were left out of the public higher education system have a chance. The only exception is in the admission of continuing and working students. However, this is because the working students can afford payment of fees. This way private higher education has provided more alternatives to social groups that have always enjoyed it.

Private universities did point out that their extent of innovation to accommodate students with various disabilities is limited. Respondents argued that they receive students from systems that are already inequitable from primary and secondary level. However, as Article 3(b) of the World Conference on Higher Education, 1998, states:

Equity of access to higher education should begin with the reinforcement, and if need be, the reordering of its links with all other levels of education, particularly with secondary education. Higher education institutions must be viewed, and must work within themselves, to be a part of and encourage, a seamless system starting with early childhood and primary education and continuing through life. Higher education institutions must work in active partnerships with parents, schools, students, socio-economic groups and communities. However, access to higher education should remain open to those successfully completing secondary school (UNESCO, Declaration on Higher Education, Article 3(b) 1998 Paris).

None of the private universities and programs in Kenya has taken up the above challenge. The other issue that we pointed out as an indicator on equity is that of quality. In the next section, one aspect of quality is analysed. This is related to the involvement of private higher education in research and knowledge generation.