I would like to begin by thanking the University of Cape Town for inviting me to deliver the 39th T.B. Davie Memorial Lecture on academic freedom. It is a singular honour for a serving minister of education to be asked to give this address.

Universities are the intellectual life-blood of our society and I am therefore here to send a message about their importance to our world. T.B. Davie challenged us nearly 40 years ago. My challenges arise from the needs of a society engaging its democratic life. On this occasion, we also remember the UCT students, who in 1957 protested against the imposition of apartheid education and the torch that was lit and then extinguished, as a symbol of the academic freedom that had been destroyed and pre-figuring the dark times that lay ahead. Today the conditions exist for the flame of academic freedom to burn brightly across the length and breadth of our land.

Today we remember T.B. Davie, who took on the responsibility of leading the University of Cape Town during the period in which apartheid was extended to the universities. He believed that academic freedom meant freedom from external interference in who is to teach, what is to be taught, how teaching is to take place and who is to be taught. We salute him and the others of his generation, who with great courage and conviction, sought to prevent apartheid being extended to academies of learning. Their failure, in the face of a determined onslaught by the apartheid state, was a failure that arose from their isolation from the main forces of resistance to apartheid.

**Thinking Freedom**

Over the years, the T.B. Davie lectures, as they have come to be known, have focused on a wide range of concerns. Z.K. Matthews in 1959 looked forward to an African awakening, the emergence of new ideas that would bring about revolutionary changes to African societies and the ideal of free universities that would help Africa to take its place in the modern world. He hoped that South Africa would be able to lead this process. These ideas may have been premature, but now, in the context of the renewal and renaissance of Africa, they resonate with our current focus on the New Partnership for Africa’s Development (NEPAD).

In 1981, Terence Ranger used the experience of East and Central Africa to re-dedicate himself to the exercise of academic freedom, through a radical commitment to truth that serves the people. In 1986 Albert Nolan further refined Ranger’s approach by demanding that academic freedom serves the interests of the people and the whole community. He reflected on whether universities actually fulfilled this function. He looked to the future and asked a pertinent question: “If one day we have a government that does represent the interests of all the people, will its decisions about what the people
need in terms of education not be binding upon the university?”. Nolan came to the conclusion that the freedom of a university is the freedom to serve the people. I will return to this theme later.

Over the years, lectures have focused on the workers’ struggle (Legassick: 1979), on concerns of culture (Wolf: 1990) and gender (Spivak: 1992), on globalisation (Chomsky: 1997) and its effects on developing countries where freedom may exist in theory, but without impact on the lives of the poor.

Today, our concerns lie with the practical realities of extending freedom in general, and academic freedom in particular, in a world in which we need the transformation of our universities and our societies to better serve our people and all of Africa. It is the task of the present generation and leadership to re-think and clarify the role of universities in a context in which there is indeed government for the people and in which equity and access are priorities. Our exercise of academic freedom demands that we break with the past in order to plan for a better future.

**Breaking with the Past**

To me, academic freedom means the freedom to write, to publish, and to tell the truths that arise from intellectual engagement. In the past, we did not all have this freedom, and those who might have defended it often lacked the will to do so.

Apartheid South Africa had a dismal record in academic freedom as in so much else. Through the banning of books, the banning of persons, the practice of racism in accommodation and in medical service, and the removal of academics from their posts, academic freedom was undermined at every step of the way. Universities were established within the Bantustans in order to impose separate identities on the people who were forced to attend these dismal places. Afrikaans institutions were expected to defend Afrikaans nationalism and exclusivity. The majority of academics at higher education institutions quietly worked the apartheid system without questioning its premise, turning a blind eye to its injustices.

Academics, such as Jack Simons, who rebelled were expelled from their academic posts, barred from teaching and writing, prevented from attending public gatherings and, as a result, went into exile. Raymond Hoffenberg was among those brilliant academics who were forced to leave the country and went on to excel at institutions in Britain. Banning orders issued against some of them, with the result that overseas academics, together with the Anti-Apartheid Movement, signed a declaration, as early as 1965, to protest against apartheid and violations of academic freedom.

Apart from isolated exceptions, higher education found little difficulty in bedding down with apartheid. As a result huge international controversies erupted in the mid-80s, when apartheid was at the height of its brutality. The visit of Conor Cruise O’Brien to UCT in 1986, in defiance of a clear consensus concerning the international academic boycott of South Africa, an intentional and provocative step, drew the appropriate response. In the same year South African academics were excluded from the...
World Archaeological Congress. Both events aroused howls of protest from inside the cocoon of sheltered South Africa, and claims that the boycott infringed on academic freedom. But as Bishop Desmond Tutu said:

“This is the only way to make people who are otherwise quiescent and compliant, to stand up and do something positive”.

Academic freedom is not an absolute right which transcends all others. How far it extends, where it should be regulated, how it should be understood, I shall discuss in this lecture. However, it remains, and should remain, a matter for lively debate and not something to be taken for granted.

Of course UCT students were not the only ones to protest, and students in institutions of higher learning all over South Africa played an important role in consolidating the liberation struggle. School students too wanted an end to bantu education and protested against the imposition of Afrikaans. Academic freedom may not have been an explicit demand, but it was certainly expressed in the Freedom Charter and its demand that the doors of learning and culture should be open to all, to which many subscribed.

The fundamental issue, not universally accepted by South African academics, was the extent to which their involvement would lead to the removal or overthrow of apartheid, and not whether incremental change would ‘reform’ apartheid.

With the 90s and the unbanning of the liberation movements and the release of political leaders, there was a new dawn in South Africa, and an upsurge of debate on every issue, accompanied by an air of optimism for the future.

Yet the new democracy would bring with it new challenges to the academy. We scarcely realised at first the overwhelming legacy of apartheid, yet we knew we had to succeed in deracialising South African society and transforming our education system. We had to mobilise all our energies to deal with the deprivation and alienation, and above all the poverty, of our people. This is still a vital necessity.

Academic freedom, as it was understood in the 1950s by T.B. Davie and like-minded individuals, must be expanded in our new times to free itself from the confines of the past and be linked to other rights and other freedoms. Of course there are many examples of ways in which academics have contributed to the attainment of our new democracy. The drafting of the Bill of Rights in our new Constitution, the resolution around issues such as proportional representation and the ready acceptance of the need for a Constitutional Court, were led by academics. These were engaged intellectuals who drew on their own research and their commitment to change arising out of their active involvement in politics.
Academic freedom will be diminished if it is seen as just “freedom from” the unjust rules and regulations of the past. It must become “freedom to” fully develop the potential of our land, and above all, of its people. I emphasise that it must embrace all the people of our land. It must be centred firmly in Africa. Only if we proudly claim our African heritage will we have the confidence to build on the strengths of all our people, and to debate ideas from all over the world.

UCT has recently marked the 25th anniversary of the death of Steve Biko, and it is salutary to recall his pride in the culture he grew up in, and his repeated emphasis on the importance of man in society. It is not science, or economic theory, or philosophy which will of themselves advance our society to the point where the ideals of our Constitution will be fulfilled, though of course they are necessary. It is an acknowledgment that, as Biko put it, “the cornerstone of society is man himself”. The Freedom Charter, when it stated “South Africa belongs to all who live in it, black and white”, anticipated the human based approach in the midst of the Verwoedian nightmare of 1955.

Today we all recognise that academic freedom cannot flourish in a restrictive society where the wider freedoms do not exist. We need to go further, and acknowledge that academics and institutions of higher learning must not simply concentrate on expanding knowledge and transmitting it to others; they must have an ethical and social focus, which recognises the needs of society. In a society as savagely unequal as ours, we cannot afford to cut ourselves off from the needs of the majority of our society, from people's right of access to adequate housing and the right to adequate health care, food, water and social security. The very issues foregrounded at the recent World Summit on Sustainable Development (WSSD) should be among the concerns of academics. In other words, there must be a critical alignment to society on the part of our higher education institutions.

This consciousness must also extend to countries where academic freedom is not recognised or favoured. In Africa, it requires a leap of imagination to ensure that we assist in the rebuilding of institutions of higher education so sorely deprived of capacity.

Edward Said in his important work *Representations of the Intellectuals* points out that:

“There is no such thing as a private intellectual, since the moment you set down words and then publish them you have entered the public world. Nor is there only a public intellectual, someone who exists just as a figurehead or spokesperson or symbol of a cause, movement, or position. There is always the personal inflection and the private sensibility, and those give meaning to what is being said or written.”

The idea of a ‘public intellectual’ is not a clever conceit. It reflects a need to understand what Nadine Gordimer has recently said of writers which easily applies to the university.
“There is no ivory tower that can keep reality from beating at the writer’s walls, and an artist’s highest calling is to bear witness to the evils of conflict and injustice.”

Bearing witness does not mean doing so in a confessional sense. Rather it is in understanding that the university, as a social institution can lead and support reconstruction.

Academic freedom is not an abstract notion. It supposes entry into the public domain. This becomes particularly important in a climate such as ours, which is still permeated by racism and disfigured by appalling poverty. We must listen to the poor and to the marginalised, we must pay heed to their aspirations, but at the same time we must put forward plans for the future, speak out and point to the road ahead.

It is in this context that we must locate academic freedom, as part of the overall process of liberation. Academic freedom is about building anew and contributing in profound and far-reaching ways to social development.

Open minds, as I have said, will not flourish in closed spaces. Academic freedom co-exists with other rights and works with them to contribute towards a freer life for all.

Louis Menand, a writer and literary theorist, in his essay “The Limits of Academic Freedom” argues that:

“We don’t need universities in order to preserve a static knowledge from the forces of change. We need them to insure that knowledge will not remain static in the service of some vested interest.”

In the South African context, this means that the doors of learning and culture must be open to all, so that the forces of change do not remain outside but make their way inside. The ever-changing reality must impact on knowledge production within the academies of learning. We must preserve freedom within and also extend the possibilities of freedom without.

The battle for academic freedom should be a battle about preventing the reification of knowledge. Universities will, I trust, remain at the helm of learning and teaching but they must also be relevant to the needs of society at large.

The strengthening of this freedom is crucial to deepen democracy and further freedoms for other sectors of our society. The aim of academic life should not only be to preserve an existing privilege but also to extend this privilege to others, who ought to be free to think about themselves and their lives.

**Pointing the way to the future**
Albie Sachs once wrote that our Constitution and our Bill of Rights are not based on some abstract formulations detailed by consultants. They refer to a reality of our lives, and provide relief from the mischiefs of our past. This is clearly reflected in the provisions of our Bill of Rights that relate to academic freedom, which is provided for in the section on freedom of expression.

However it is not, as I have already said, an absolute right. It does not extend to “propaganda for war”; “incitement of imminent violence; or” “advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.” Such restrictions are not, as you know, unique to South Africa, and I could cite the example of France, which forbids any denial of the Holocaust. Thus academic freedom is curtailed for the sake of a greater public good or a greater historical truth.

In South Africa, as elsewhere, freedom has a price in a world where increasingly the ethical underpinnings of research are being questioned, where the commodification of higher education poses possible threats to academic freedom, and the promise and threat of the ‘virtual’ university has enormous implications for contact universities. Universities are certainly not medieval guilds that are totally self-regulating. Rather, they need careful attention as social institutions which exist in time, and in particular contexts, and they will have to respond to these threats and challenges.

Our liberation from the past has opened South Africa to the vast changes taking place in the world around us. Our entry into a globalising world economy has meant new pressures, possibilities and pitfalls. In order to strengthen South Africa’s position as it seeks to integrate effectively into the global economy, the need to establish a vibrant economy seems paramount. But is it really the answer? And even if it were, we must still meet the challenges of equipping our people with the necessary skills for participation in the global economy. The dangers of entrenching unequal power relations between the developing and developed worlds are immense unless we stand firm about our national priorities.

In higher education in particular, we are faced with a proliferation of foreign higher education institutions establishing themselves in South Africa. Some private providers are concerned with new markets rather than contributing to national goals. Unregulated links with the market threaten to shake the foundations of our education system. We risk being shackled to new chains that are beyond the control of the nation state. Freedom will remain elusive, a mere dream in the global scheme of things.

The Turkish poet, Nazim Hikmet, as if pre-figuring the globalised world, in his poem “A sad state of freedom” writes that:

“You waste the attention of your eyes,
the glittering labour of your hands,
and knead the dough enough for dozens of loaves
of which you’ll taste not a morsel;
you are free to slave for others –
you are free to make the rich richer….

You love your country
As the nearest, most precious thing to you.
But one day, for example,
    They may endorse it over to America,
and you, too, with your great freedom –
you have the freedom to become an air base….

There’s neither an iron, wooden
    nor a tulle curtain
in your life
there’s no need to choose freedom:
you are free.
But this kind of freedom
    is a sad affair under the stars.”

How then do we plan for the future if freedom is on the verge of being diminished and devoid of real content?

A legitimate concern is what happens to the search for truth and the production of knowledge in a world in which all are required to be so-called knowledge producers for the information economy. In the name of the free market and in a world where increasingly trade defines the relationship between one country and another, do we become freer or is our freedom eroded?

The role of the nation state must be to act in the interests of its citizens and to work towards their social development. In turn the nation state must work with its neighbours and in the spirit of internationalism. For us, this means the SADC region and the African continent as a whole. Collective engagement with the issues at hand can produce more long term strategies and solutions to the problems of development and to the realisation of freedom.

The United Nations Human Development Report 2002 recognises that:

“Globalisation is forging greater interdependence, yet the world seems more fragmented – between rich and poor, between the powerful and the powerless, and between those who welcome the new global economy and those who demand a different course…. For politics and political institutions to
promote human development and safeguard the freedom and dignity of all people, democracy must widen and deepen...."

“In many countries a central challenge for deepening democracy is building the key institutions of democratic governance.”

“Promoting democratic politics means expanding capabilities such as education, to enable people to play a more effective role in politics, and fostering the development of civil society groups and other informal institutions to help democratic institutions better represent the people.”

The association between the promotion of human development, the safeguarding of freedom, the deepening of democracy and the expansion of education helps us to understand how different threads need to be woven together to eradicate poverty, to develop a greater sense of community involvement, and to put "man" at the centre of our endeavours.

The same Human Development report when measuring country-by-country progress on Millennium Development Goals in the area of education states that:

“51 countries, with 40% of the world’s people, are on track to achieving universal primary education by 2015 or have done so already. But 24 countries are slipping back or are far behind on target – and 93 countries, with nearly 40% of the world’s people do not have data to make a judgment. Globally, one in every six children of primary school age is not in school.”

These figures suggest the dire state that poor countries find themselves in today, not only nor simply as a result of their own failures in policy, but also because of outside intervention which imposed conditions on development assistance.

We must bear in mind that the World Bank policies in the 1980s and 1990s that provided mainly for the support of primary and secondary education led to the decay of large sections of higher education institutions in Africa and the erosion of higher education. While the World Bank analysts in their 2003 report have reviewed their focus, clearly the damage has already been done and changes in policy will take time to make a difference on the ground.

What, therefore, is the academy's response?

Planning the Future

Under such fraught circumstances, it is our vision for the future, our plans to implement them, which must sustain us. We need clear strategies to preserve academic freedom as part and parcel of our
public universities, to strengthen our institutions in terms of the quality of their teaching and their research, and to be responsive to broader societal needs.

Current thinking around the reconstruction of the institutional landscape of higher education will address some of these challenges, to allow for the elaboration of new purposes linked to democracy and social justice outside of an apartheid framework, within an integrated and co-ordinated national system. This national system must respond to the requirements of a society emerging out of decades of underdevelopment and inequality.

The preamble to the Higher Education Act of 1997 reiterates the constitutional principle of freedom of speech, but in a far more expansive manner. It expresses the desired intention to:

“RESPECT and encourage freedom, academic freedom, freedom of speech and expression, creativity, scholarship and research;
PURSUE excellence, promote the full realization of the potential of every student and employee, tolerance of ideas and appreciation of diversity;
RESPOND to the needs of the Republic and of the communities served by the institutions;
CONTRIBUTE to the advancement of all forms of knowledge and scholarship, in keeping with international standards of academic quality;
AND WHEREAS IT IS DESIRABLE for higher education institutions to enjoy freedom and autonomy in their relationship with the State within the context of public accountability and the national need for advanced skills and scientific knowledge;”

A clear distinction is made between academic freedom and institutional autonomy that is linked to accountability. While institutional autonomy refers to a degree of self-regulation and administrative independence, the Education White Paper, entitled “A Programme for the Transformation of Higher Education” (July 1997) makes it clear that “there is no moral basis for using the principle of institutional autonomy as a pretext for resisting democratic change or in defence of mismanagement”. At the same time the principle of public accountability is seen to be an all-encompassing one, implying that “institutions are answerable for their actions and decisions not only to their governing bodies and the institutional community but also to the broader society”.

Clearly, autonomy is a fluid concept, if not an elusive one, as there are no universally accepted norms or definitions of different levels of autonomy. Expressions of autonomy differ from country to country. In France for instance, central government retains fundamental powers to define and implement education policy and to prescribe national education curricula. Here, we are not so prescriptive, yet we must acknowledge that it is in our national interest for autonomy to have its limits - however much we may argue, and currently are vigorously arguing, over its extent.
There is no doubt that the academic freedom accorded to our universities comes with a corresponding social responsibility. While accountability must prevail among peers within the institutions, it also involves external accountability to society as a whole. In this regard, academics must ensure that their research is ‘open’ and accurate, and not for private profit. There should be a code of conduct for the conduct of research, especially in science. Higher education must provide the thinking and the intellectual tools for shaping society and for contributing in dynamic ways to social, cultural and economic life of a rapidly changing world. The training that takes place at our higher education institutions must also serve to nurture socially responsible individuals whose concern must be for community and national development.

Human resource development is crucial to South African development, but I would not wish to confine this to the areas to which the majority of our people were deliberately deprived access in the past. Of course scientific development is crucial; of course we need more mathematicians and economists. But I would like to emphasise that without the arts, without history, without some way of imbuing our special values and culture into academia, our development will be substantially impoverished.

Since 1994 our Government tried to keep this in mind when elaborating its policies and programmes. It has set to work putting these in place in order to expedite the establishment of a new democratic order and to create the conditions in which both black and white can prosper, in which all our people can live in dignity and equality.

The National Plan for Higher Education, approved by the Cabinet in February 2001, provides a framework to transform the higher education system to serve a new society, to meet new national goals and to respond to new realities. If South Africa is to chart a new path, the higher education system must be seen not only to give us the intellectual capacity and the practical skills to enable us to contribute to national development; it must also internalise the values of which I have been speaking, the values which Biko championed, to put people at the centre of our society. While there are acknowledged strengths in the system both in research and teaching, which I must applaud, not simply in parenthesis, the inadequacies are glaring and must be addressed if we are to be responsive to the changes that are taking place within the world.

New challenges such as attaining staff profiles that are more representative of the South African population must be met. The task of transforming our universities from apartheid institutions into more outward-looking, diverse and democratic spaces also involves the examining of cultures at some of our institutions which suggest that they have not transcended racial divides but remain frozen in the past. A national focus enables us to deal decisively with governance and financial crises at some of our institutions. A national system enables us to promote equity of access, to work towards meeting
developmental needs at a national level, to support a democratic ethos and a culture of human rights and to contribute to the advancement of all forms of knowledge.

The proposed restructuring of higher education through the establishment of new centres of learning aims to break with this apartheid past that still haunts us, and to enable institutions to face the new world with better armour – with the necessary administrative and managerial structures to support their work and, most importantly, through the strengthening of academic life. This restructuring will mean not a lesser but a greater capacity to do so.

Integration of institutions will go a long way towards ensuring that students from all over the country, irrespective of colour, religion, gender, place of origin, begin to see themselves as equals and as individuals who wish to make a contribution to society through their collective efforts.

**The challenges for universities**

Higher education institutions themselves ought to understand that part of their role must be to produce excellence and to achieve equity. As I have said before, excellence and equity are not opposites but complementary. They need to respond in dynamic and innovative ways to changes within the environment and to recognise that one has to adapt to changing circumstances as indeed academic work can serve to generate change itself.

Universities must take it upon themselves to create new institutional cultures and to begin to articulate the values of a new society. Within our higher education institutions, the intelligensia must renew the roles they have set out for themselves by addressing the changes that are taking place within the world today. For in this way, they will ensure that indeed they are at the forefront of change. Their objective views must be of those who fully believe that they are seekers of the truth, those whose vantage point allows them, as Edward Said suggests, “in effect to speak the truth to power” with the goal being “mainly to project a better state of affairs and one that corresponds more closely to a set of moral principles – peace, reconciliation, abatement of suffering – applied to the known facts.”

The search for new ways of thinking and seeing, new directions to be taken by academic disciplines, the creation of new areas of study, also contribute in expanding the imaginary and real possibilities of life for those outside the academy. Institutional autonomy must co-exist with public accountability and the appropriate balance between the two will be determined in the context of our history and our needs.

Our higher education system must provide spaces for diverse voices (and here I know there are voices at UCT which are already engaged in debate on many issues); it must allow for pure research.
to take place unhindered and go hand in hand with applied research and not be seen to be its ugly sister. Similarly, the shift to inter-disciplinary research must not be done at the peril of building existing strengths within disciplines. And, as I said before, we dare not ignore the arts - and here again UCT has already through dance and music contributed enormously to the widening of our cultural heritage, and to the expanding of our cultural horizons.

Both the Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Learning (1988) and the Kampala Declaration on Intellectual Freedom and Social Responsibility (1990) pave the way for more actions to be taken worldwide to safeguard academic freedom and autonomy but they also recognise the important role of institutions of higher education in the fulfilment of “economic, social, cultural, civil and political rights of the people” and the need to engage in activities that respond to the needs of society at large, that is, the combining of autonomy with social accountability. The question to academics must be whether indeed in their daily work they are helping to realise social, cultural, civil and political rights.

Conclusion

Theodore Adorno in Minima Moralia, writing about Nietzsche, describes him as an “unfathomable, inexhaustible thinker and psychologist, the great prober of mind and valuer of life unequalled in power of spirit and might of mind, to whom the farthest future belongs.”

Perhaps in a more cynical fashion, he asks:

“Who, in the end, is to take it amiss if even the freest of free spirits no longer write for an imaginary posterity…”

To whom does the future belong? Is it to the past or is it to the living men and women of the present to help them to dream of a better life and to see their dreams come true.

Franz Fanon tells us that: “the living expression of the nation is the moving consciousness of the whole people; it is the coherent, enlightened action of men and women. The collective building up of a destiny is the assumption of responsibility on the historical scale.”

We have to ask ourselves in which ways are we contributing to the development of “unfathomable” and “inexhaustible” thinkers, probers “of mind” and valuers “of life”. How do we support those who perform great deeds, and think great thoughts, for an “imaginary posterity”, those who assume responsibility on the historical scale and who plan the future world.
Certainly, to nurture such thinkers, the “freest of free spirits” and to encourage them to speak to the living world and to articulate “the living expression of the nation”, we need academic freedom.

Academic freedom can help us go beyond the barriers of the past and to break new ground as preservers of wisdom, guardians of knowledge. It can nurture pioneers of ideas who breathe life into the world of work and into the realities of ordinary existence.

Thinking freedom means that we go beyond our pasts and do all that can be done to open the doors and windows to the future, especially to value the unsung, the unhealed in society and to change the story.

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1 ZK Matthews "African Awakening and the Universities" The Third TB Davie Memorial Lecture, University of Cape Town, 15 August 1961
2 T Ranger "Towards a radical practice of academic freedom: the experience of East and Central Africa" The Twenty Second TB Davie Memorial Lecture, University of Cape Town, 4 September 1981
3 Albert Nolan "Academic Freedom: a service to the people" The 28th TB Davie Memorial Lecture, University of Cape Town, July 31 1986
4 Martin Legassick "Academic Freedom and the workers' struggle" The 20th TB Davie Memorial Lecture, delivered in absentia in 1979
7 Steve Biko I write what I like, The Bowerdean Press 1978, p 46
9 Nadine Gordimer Charting inward testimony, The Sunday Independent, 22 September 2002
13 Ibid, p. 14
14 Ibid, Said pp. 99-100
16 Frantz Fanon The Wretched of the Earth, Penguin Books, Harmondsworth 1967, p. 165