

A regional perspective: higher education in the East African Community

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Abstract

Higher Education (HE) in East Africa dates to 1949 when Makerere College was renamed Makerere College, University of East Africa. Since then, HE in the region has grown to more than 300 universities with over 2 million students today. This contribution argues that HE has always played a significant role in the integration of the East African Community (EAC). It demonstrates that education continued to unite East Africa even after the collapse of the East African Community in 1977, after only about 10 years of existence, before its revitalisation in 1999. The paper traces the evolution of the Inter-University Council for East Africa (IUCEA) from its formation as the Inter-University Committee in 1970 to its current status as EAC's organ responsible for HE. The paper postulates that in the context of the current 6 EAC Partner States, despite the establishment of a regional quality assurance system, there is still a lot of work to be done in terms of harmonisation of education and building a system that allows mutual recognition of qualifications, credit accumulation and transfer, mobility of staff and students, comparability of qualifications, and international recognition. It concludes that, nevertheless, the region is moving in the right direction.

French-speaking countries like Rwanda and Burundi, and with the Democratic Republic of Congo at an advanced stage, the Summit of the Community has, for example, approved the inclusion of French as an official language of the Community (The East African Community, 2021). This is an example of the growing need for deliberate efforts to integrate diverse stakeholders into the Community. **Higher education has great potential to play a key role in the EAC integration process and sustaining the unity of the community. The survival of the Inter-University Council for East Africa (IUCEA), which remained a uniting factor despite the collapse of the original EAC in 1977, is a testament to this potential.** Collaboration between higher education institutions in the region was maintained by IUCEA, then known as the Inter-University Committee until it was transformed into the Inter-University Council for East Africa (IUCEA) in 1980. Therefore, it was not surprising that the revitalised EAC recognised IUCEA as one of its surviving institutions. This recognition also underlines the Community's awareness of the importance of higher education for regional integration.

Higher Education in the EAC

The first university in East Africa was known as the University of East Africa. It started as a constituent college of the University of London, and in 1970 it gave birth to Makerere University in Uganda, the University of Dar-es-Salaam in the United Republic of Tanzania, and the University of Nairobi in Kenya. Since then, higher education in the EAC has grown in leaps and bounds. While the first three were public universities, there are now over 300 public and private universities, with a combined population of over 2 million students.

The role of higher education in the EAC's regional integration agenda

One of the four pillars of EAC regional integration is the Common Market. The other three are the Customs Union, the Monetary Union, and the Political Federation (The East African Community, 2022b). The EAC Common Market Protocol (CMP) came into force in 2010 (The East African Community, 2022a) after ratifi-

Overview

An Introduction to the East African Community

The East African Community (EAC), initially formed in 1967 by Kenya, Uganda and the United Republic of Tanzania, currently consists of six countries. The republics of Burundi, Rwanda, and South Sudan joined after the community was revitalised in 1999, having collapsed in 1977. The community could continue growing as the Treaty establishing the Community provides that a country may be admitted into the EAC if it complies with the membership regulations set out in Article 3 of the EAC Treaty (The East African Community, 2002, pp. 11-12). **Growing membership comes with increased diversity.** Following the admission of

cation by EAC Partner States. It provides for five basic freedoms of movement. These are the free movement of goods, persons, labour, services, and capital. It also provides for citizens' rights of residence and establishment in any Partner State.

Article 102(1) states that “in order to achieve the Community’s objectives, as set out in Article 5 of the Treaty, the Partner States agree to undertake concerted measures to foster education and training cooperation within the Community” (The East African Community, 2002, p. 76). One of the key activities under this article is to “revive and enhance the actions of the Inter-University Council for East Africa”. Article 5 of the Treaty is entitled, *Co-operation in the Development of Human Resources, Science and Technology*. Clearly and without going into details, education in general, and higher education (HE) in particular, has a significant role to play in implementing all four pillars. Coordinated HE governance in the region is imperative for the Community to reap the full benefits of regional integration. It is, however, not without some challenges. The role of HE in the development and implementation of the visions of the individual Partner States varies slightly from one to another. There is, however, a common thread uniting all of them. Despite the varying timelines of the different visions (Burundi National development plan 2018-2027; Kenya Vision 2030; Rwanda Vision 2050; South Sudan Vision 2040; Uganda Vision 2040; and United Republic of Tanzania Vision 2025), there is a common commitment to review the education systems to ensure that it provides quality education, enhances access and specifically address paucity of skills in Science, Technology, Engineering, and Mathematics (STEM) and Information and Communication Technology (ICT) subject areas. The Inter-University Council for East Africa’s plays a role in coordinating harmonised development and implementation of the EAC’s higher education system.

The Inter-University Council for East Africa

IUCEA is one of the 8 institutions of the EAC. It was institutionalised in the EAC through an act of the East African Legislative Assembly (EALA) known as the IUCEA ACT 2009. Article 4(1) of the Act states that the purpose of IUCEA is to “advise Partner States on all matters related to higher education” (The East African Community, 2009, p. 5). IUCEA’s purpose and function are limited to advising Partner States and coordinating and networking with Higher Education Institutions (HEIs), but this has become a significant instrument

to impact the governance of higher education in the Community. Major stakeholders such as the vice-chancellors of member universities, directors of the National Commissions or Councils for Higher Education, and Permanent Secretaries in ministries responsible for higher education form part of the governance structures of IUCEA and are represented in the governing board of IUCEA to ensure that decisions made at the regional level are implemented in the Partner States. In collaboration with these stakeholders, IUCEA developed policy documents, tools and instruments for harmonisation of higher education upon whose consideration, and after recommendation by IUCEA, the Heads of State of the EAC Partner States declared the EAC a Common Higher Education Area (EACHEA) in May 2017 (The East African Community, 2017).

The declaration of the EACHEA means that the Community is working towards a harmonised education system that will facilitate mutual recognition of qualifications, comparable and compatible study programs that enable credit accumulation and transfer and ultimately, the free movement of labour. But before the EACHEA can be operational and its benefits fully realised, there is a lot of ground to be covered because governance of higher education remains diverse in terms of administrative and legal structures in the Partner States. Indeed, in some Partner States, there are legal entities with conflicting mandates internal to the country even without reference to regional practice.

Higher education in the different partner states: institutional aspects

Burundi

In Burundi, the HE sector has been alternatively under the Ministry of Education or the Ministry of Higher Education and Scientific Research. Today, it is under the Ministry of National Education and Scientific Research.

Law No.1/07 of October 29th, 2020, stipulates that the organisation, promotion, regulation and guidance of the HE sector (both public and private) is a Government responsibility. This is done in partnership with the academic and scientific communities and other stakeholders.

At the technical level, the National Commission for Higher Education (CNES, in the French acronym), set up by presidential decree No.100/258 of November 14th, 2014, is the regulatory body charged with the elaboration, monitoring and evaluation of the higher education policy.

The functions of the Commission include, but are not limited to, accrediting universities and other Higher learning institutions, public and private, and their academic programmes at all levels of study, and monitoring of compliance of Universities to national, regional and international education standards.

To deliver on its mandate, the CNES has three sub-commissions:

- 1) Commission for equivalence of university degrees and diplomas tasked to equate qualifications earned at university level outside the country.
- 2) Commission of HE curriculum development charged with regularly monitoring the relevance of the curriculum developed by universities before approval, and benchmarking best practices at regional and global level.
- 3) Commission of validation (“entérinement”, in French) of diplomas in charge of final approval of the degrees awarded by Universities.

The higher education regulations allow universities to exercise autonomy and self-governance through their own institutional governing boards, although private Universities are still under the tutorage of the Ministry in charge of higher education, to whom they report through the Directorate of National Education, and public Universities report directly to the Cabinet under the coordination of the Ministry of National Education and Scientific research.

Law No. 1/07 of October 29th, 2020, provides two very important directives to be emphasised here:

- 1) Access to university education in Burundi is open to East African citizens under the same conditions as Burundians.
- 2) Training in the workplace is a must for students. All formal workplaces are by law considered to be training spaces to ease access of students to internship opportunities.

Kenya

Higher Education in Kenya is under the Ministry of Education, responsible for education at basic, vocational, or tertiary levels. At a technical level, there are bodies tasked with regulating the different levels of education. The Commission for University Education (CUE) is responsible for university education. The Universities Act 2012 (the Republic of Kenya, 2012) assigns CUE the function of accrediting universities, both public and private, and their academic programmes at any level of study. There has been some conflict, sometimes ending in courts (Kenya Law, 2018), when professional bodies, such as the Engineering Registration Board of Kenya (ERB) and the Legal Council of Kenya, threatened not to recognise or register graduates from programmes they considered inadequate, even though duly accredited by CUE.

In addition, CUE is given the mandate to equate qualifications earned at the university level outside the country. However, the Kenya National Qualifications Agency (KNQA) establishes “standards for harmonisation and recognition of national and foreign qualifications” (Government of Kenya, 2014, p. 6). As much as this provides an opportunity to build synergy, it also creates room for conflict, however subtle, in the discharge of duties by the two agencies, and sometimes this has also ended up in court (Owino, 2022).

Universities are awarded charters that grant them autonomy and self-governance through their own institutions, such as Councils, Senates, Management Boards and other committees. A university in Kenya may be able to operate for up to 8 years with a letter of interim authority, meaning it can grant degrees before a charter is awarded. An interim authority is valid for four years with a possibility for renewal once. Not all EAC countries have that provision, as will become evident from the foregoing. There is no regional consensus on how universities with interim authorities, certificates of registration, or provisional licenses are treated in the region.

The Republic of Rwanda

As in Kenya, Higher Education is under the Ministry of Education in Rwanda. The Ministry is also responsible for basic, vocational and technical education. HE regulation is the mandate of the Higher Education Council (HEC), which, unlike its counterpart in Kenya, is only responsible for accrediting private higher learning

institutions and their programmes. Only one public university in Rwanda has been established by an official gazette notice. However, HEC is responsible for developing standards and monitoring their adherence in all higher learning institutions. In a departure from Kenya's practice, the Republic of Rwanda does not permit universities with provisional licenses or letters of interim authority to award degrees. Instead, higher education institutions with provisional licenses must apply to be allowed to award degrees after their first cohort of graduates has finished (Higher Education Council, 2007).

The Republic of South Sudan

South Sudan is the newest member of the EAC, having acceded to the treaty in April 2016. When it declared independence from Sudan in 2011, it had 9 public universities and 34 private, largely unregulated universities (Akec, 2021). The Ministry responsible for higher education in South Sudan is the Ministry of Higher Education, Science and Technology (MoHEST). A National Council for Higher Education (NCHE) is tasked with "policy-making responsibility" (Akec, 2021, p. 16) including developing standards and accrediting programmes for universities. Unlike the rest of the EAC Partner States, where the sister organisations are semi-autonomous, as of November 2021, NCHE in South Sudan is chaired by the MoHEST minister, and membership of the Council includes the Vice-Chancellors of both public and private universities (Bruno Dada, email communication).

The Republic of Uganda

Uganda has a slightly different arrangement from the rest of the EAC Partner States. Education falls under the Ministry of Education and Sports, with separate State Ministers responsible for the various levels of education. There is, therefore, a State Minister for Higher Education. The agency responsible for regulating higher education is the National Council for Higher Education (NCHE), which, like its sister organisations in the other Partner States, is responsible for institutional and programme accreditation for both public and private higher education institutions (the Republic of Uganda, 2001). In Uganda, universities with letters of interim authority cannot admit students. Universities can be issued with a provisional license which allows them to admit and educate to graduation, but the provisional license is only valid for three years (National Council for Higher Education, 2005). As in other Partner States, the day to day running of the university is left to a hierarchy

that involves university Councils, Management Boards, Senates, and other internal committees

The United Republic of Tanzania

The Ministry of Education, Science and Technology (MoEST) is responsible for higher education in the United Republic of Tanzania (URT). The Tanzania Commission for Universities (TCU) is the implementing agency for policies and regulations regarding higher education, in line with the Universities Act Cap. 346 of the Laws of Tanzania and its associated regulations and the Universities (General) Regulations, 2013 (The Tanzania Commission for Universities, 2019). While TCU is responsible for setting standards, registering, and accrediting all higher education institutions, public or private, and their programmes, there is also another agency known as the National Council for Technical Education (NACTE), which has its own standards by which it accredits degree-awarding institutions in the Technical and Vocational Education and Technology (TVET) sectors. There are degree awarding institutions that are not established as universities but which nevertheless offer degree programmes sometimes up to the doctoral level. This sometimes creates differences of opinion, especially when those graduating from technical and vocational education institutions want to pursue further studies in higher education institutions under the purview of TCU.

Universities in the United Republic of Tanzania are given powers to independently run their own academic and governance activities, as long as they comply with their respective charters, which are granted by the President of the Republic. The provisions in the university charters are aligned with those in the Universities Act Cap. 346 of the Laws of Tanzania. As is practised elsewhere in the EAC Partner States, the charters provide for the independence of the Senate for all academic matters, the university Management Boards for the day-to-day administration of the university and the University Councils for both academic and governance issues at a higher level (The Tanzania Commission for Universities, 2019).

Challenges

Reforms in higher education in the EAC are not regionally coordinated. The Republic of Kenya has, for example, shifted from its previous 8.4.4 system, meaning 8 years of primary education, 4 years of high

school and 4 four years of university, to what is now referred to as the Competence-Based Curriculum (CBC). In this system, learners will now have a 2.6.3.3 system of education. This means 2 years of pre-primary, 3 years of lower, 3 years of upper primary, 3 years of lower secondary school, and 3 years at tertiary level. No other EAC country has adopted this system yet.

The republic of Burundi is engaged a series of reforms in its education sector, shifting from its previous 6.7.4 system, meaning 6 years of primary education, 7 years of high school and 4 four years of university, into a 9.3.3 system. At the university level, the implementation of the BMD (Bachelor Masters Doctorate) system inspired by the Bologna process started with the Academic year 2011/2012.

Other Partner States are also reviewing their education system. An Education Policy Review Commission was, for example, constituted under legal notice number 5 of 2021 in Uganda and is currently soliciting views from stakeholders to review the entire education system in the country. In previous years, the diverse education systems have complicated the process of harmonisation given the different levels of education. While some countries such as URT and Uganda were using the A-Level system, Kenyan students could proceed to university without A-Level qualifications under the 8.4.4 system. Students in Kenya would have eight years of primary education and four years of secondary school before proceeding to the university for a further four years. The rest of the EAC Partner States were doing seven of primary education, four years of secondary education, and two years at A-Level, after which they would qualify to join university. This meant that in some cases, Kenyan students were deemed unprepared for university studies in some of the other Partner States, yet they were eligible for university admission in Kenya and elsewhere outside East Africa. **These conflicts have, at times, complicated the movement of students transiting from secondary school to university level from one Partner State to another. To resolve the complications, IUCEA developed the East African Qualifications Framework for Higher Education (EAQFHE) (The Inter-University Council for East Africa, 2015).** This framework with 11 level descriptors can assist interpretation of skills gained by students at any level, irrespective of the time taken. But, as with other tools and instruments developed under the regional framework, its implementation is challenged by

the lack of harmonised regional policy and regulatory mechanisms to ensure their implementation.

Different regulations and accreditation practices also make it difficult for mutual recognition of qualifications.

The way forward

The East African Community has made substantive progress in regional governance and administration of higher education in its Partner States. IUCEA is the only institution in Africa, to our knowledge, that has an enabling multi-lateral legal framework to deal with higher education at a regional level. The Community's governance structure, with different ministerial Sectoral Councils, provides an opportunity to influence regional higher education policy decisions. **In this context, for example, a very important decision was adopted to the effect that students studying outside their home countries will be charged the same fees as the nationals of their host Partner State. This national treatment principle is now operational in the EAC Partner States despite a few teething problems.** IUCEA is, for example, facilitating the EAC Scholarship Programme funded by the German Development Bank (KfW), which requires students to study at a university in a Partner State outside their home countries. They are charged the same fees as the nationals of their host countries in compliance with this principle.

By involving permanent secretaries in the Ministries of Education and the directors of the National Councils and Commissions for Higher Education in the EAC Partner States, IUCEA's administrative structure ensures that regional standards and guidelines and/or policies can easily be domesticated and implemented at a national level. This arrangement has ensured that tools such as the Road Map to Quality: A Handbook for Quality Assurance in Higher Education, developed regionally, have been domesticated by the National Commissions and Councils and the standards and guidelines therein are used in the development and review of academic programmes, and the accreditation of higher education institutions.

Challenges remain in the governance of higher education at a regional level in the EAC that will be dealt with in the implementation framework of the EAC Common Higher Education Area. As the coordinating entity, the IUCEA will have to put in place a comprehensive imple-

mentation strategy and concrete plans, including the development of necessary policy, legal, and regulatory frameworks at a regional level to actualise the Common Higher Education Area.

One recent step taken recently in the right direction is an agreement to implement a voluntary regional quality-based programme accreditation. Universities participating in this exercise will become examples of good practice and will help pilot and eventually mainstream the regional quality assurance tools, standards and guidelines. This will ultimately enhance mutual trust between institutions and hence ease mutual recognition of qualifications, credit accumulation and transfer, mobility of students, and crucially, mobility of labour within the Community. This will be one of the key areas of focus for IUCEA in the coming years.

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