

Postwar Recovery and Student Academic Freedom in Côte d'Ivoire

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Abstract

This essay describes how the Ivorian government's efforts to respond to the violent past of the country's student unions have undermined student academic freedom during the Côte d'Ivoire's postwar reconstruction. Since the 1990s, the student unions have used violent protests and riots on campuses as their main means to press for improvement of study and living conditions. They also have been involved in successive national political crises and conflicts. Following Côte d'Ivoire's civil war of 2010–11, the new government sought to tackle the violence of student unions. State and university authorities implemented reforms aiming to rebuild Ivorian higher education by eliminating violence from universities. These efforts have met some success, but most of the measures also infringe students' civil liberties, including freedom of speech. After describing the current postwar environment and the government's strategies to revive Ivorian higher education, I provide the historical context of student violence in which the restrictive reforms have been undertaken. In the last section, I discuss how the implementation of these strategies impedes both student academic freedom and, likely, reconstruction in Côte d'Ivoire.

As noted by the Global Coalition to Protect Education (GCPEA) and the Safe Schools Declaration, higher education is one of the primary victims of violent conflicts and wars.¹ The last two decades of political unrest in Côte d'Ivoire saw repeated attacks on Ivorian universities. During the rebellion of 2002 and the civil war of 2010–11, Côte d'Ivoire's three major universities were occupied by combatants and devastated.² For example, in March 2011, the Université d'Abobo-Adjamé (UAA) was first taken over by current president Alassane Ouattara's soldiers, then by former president Laurent Gbagbo's security forces. This led to substantial damage and looting; in the ensuing battles at least 70 percent of the campus was destroyed.³ After the civil war ended in April 2011, the new authorities committed to eliminating violence from Ivorian universities, and to protecting the freedom of students to learn and professors to teach without fear of harassment and assault.

Previous studies have shown that higher education is essential to postwar rebuilding.⁴ Hart Nadav Feuer, Anna Katharina Hornidge, and Schetter Conrad note that in universities students, faculty, and staff from diverse backgrounds practice constructive engagement in public and free discussion of controversial questions.⁵ In this article, I examine how the pursuit of reconstruction by a conflict-affected state can both enable and undo student academic freedom. Protection of students' free speech, as a paradigm of postwar reconstruction in Côte d'Ivoire, has not been thoroughly researched mostly because domestic stakeholders and external interveners involved in the recovery process often overlook the importance of freedom in the education sector.⁶ None of the many published studies on the Ivorian political crisis have addressed academic freedom after the civil war.⁷ Because of this knowledge gap, the threats to students' free speech and collective bargaining are ignored. Côte d'Ivoire's case demonstrates that when reforms enable students' fully free

¹ The Safe Schools Declaration, an intergovernmental political commitment developed in a state-led process headed by Norway and Argentina, was opened for endorsement in Oslo on May 29, 2015; http://protectingeducation.org/sites/default/files/documents/safe_schools_declaration-final.pdf.

² Global Coalition to Protect Education from Attack (GCPEA), *Questions and Answers on the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflicts* (New York: GCPEA, 2014), 23.

³ Global Coalition to Protect Education from Attack (GCPEA), *Education under Attack 2014, Country Profile: Côte d'Ivoire* (New York: GCPEA, 2014), 2.

⁴ See Sultan Barakat and Sansom Milton, "Higher Education Vital to Post-conflict Rebuilding," *University World News*, July 10, 2015, <http://www.universityworldnews.com/article.php?story=20150710072233289>.

⁵ Hart Nadav Feuer, Anna Katharina Hornidge, and Schetter Conrad, *Rebuilding Knowledge: Opportunities and Risks for Higher Education in Post-conflict Regions* (Bonn: Center for Development Research, 2013).

⁶ GCPEA, *Questions and Answers on the Guidelines for Protecting Schools*.

⁷ See, for example, Mike McGovern, *Making War in Côte d'Ivoire* (Chicago: University of Chicago Press, 2011); Giulia Piccolino, "David against Goliath in Côte d'Ivoire? Laurent Gbagbo's War against Global Governance," *African Affairs* 111, no. 442 (2011): 1–23; and Alfred Babo, *L'«étranger» en Côte d'Ivoire: Crises et controverses autour d'une catégorie sociale* (Paris: L'Harmattan, 2013).

expression, as they have at the Université Alassane Ouattara (UAO), the institution can contribute to postwar rebuilding. On the contrary, where students' civil liberties are threatened by police repression, arrest, and imprisonment, as they are at the Université Félix Houphouët-Boigny (UFHB), violence continues. Since academia is also the main arena of political formation, such turbulence can inflame political tensions and divisions and thus endanger the entire process of postwar reconstruction.

Cary Nelson defines academic freedom as the right of faculty and students to express their views—in speech, writing, and communication—on and off campus without fear of sanction.⁸ Human rights organizations expand this definition by applying Max Weber's and Stuart Mill's ideas of intellectual liberty and freedom of thought as well as the classic approach in the AAUP's 1940 *Statement of Principles on Academic Freedom and Tenure*. Thus, when speaking of academic freedom, I intend it in the sense of the definition given by Scholars at Risk (SAR): "Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear or repression by the state or any other actor, to participate in professional or representative academic bodies."⁹ More concretely, SAR conceives five typologies of conduct that constitutes violations of academic freedom.¹⁰ The typologies appear to be especially relevant in conflict or postconflict environments such as those found in Yemen, Syria, the Democratic Republic of Congo, northern Nigeria, and Côte d'Ivoire, societies seeking to overcome war, terrorism, and postelectoral violence.¹¹

The application of these approaches has led to debates about student academic freedom. Scholars disagree not only about whether students have a legal right to academic freedom at all but also about "what exactly constitutes student academic freedom."¹² Student academic freedom, wrote Ralph Fuchs in 1963, received scant attention until students organized themselves to assert their rights and courts began to enforce protections against dismissal based on students' off-campus rights of free speech and assembly.¹³ This

⁸ Cary Nelson, "Defining Academic Freedom," *Inside Higher Ed* 12, no. 21 (2010), <https://www.insidehighered.com/views/2010/12/21/defining-academic-freedom>.

⁹ This definition refers to the General Comment 13 of the UN Committee on Economic, Social, and Cultural Rights (ESCR) of 8 December 1999.

¹⁰ These include (1) killings/violence/disappearances; (2) wrongful imprisonment or detention; (3) wrongful prosecution; (4) restrictions on travel or movement; and (5) retaliatory discharge or loss of position for professors and expulsion for students.

¹¹ Scholars at Risk (SAR), *Free-to-Think 2017: Report of the Scholars at Risk Academic Freedom Monitoring Project* (New York: SAR, 2017).

¹² See AAUP, "Academic Freedom of Students and Professors, and Political Discrimination," <https://www.aaup.org/academic-freedom-students-and-professors-and-political-discrimination>.

¹³ Ralph F. Fuchs, "Academic Freedom: Its Basic Philosophy, Function, and History," *Law and Contemporary Problems* 28, no. 3 (1963): 431–46.

evolution began when they were recognized as members, like faculty, of a community of scholars.¹⁴ More recently, Bruce Macfarlane has argued not only that student academic freedom is essential both as a right to full and free expression and as a means to experience a genuinely “higher” education that produces critical thinkers, but also that it requires active protection in the face of passive and proactive threats.¹⁵ Indeed, SAR reported that in 2018 worldwide, “at least 875 students were killed, arrested, or subjected to other coercive force in connection with their expressive activity.”¹⁶ These types of violations of student academic freedom are prevalent in postwar contexts, like Côte d’Ivoire’s, where students tend to be critical and demanding of state authorities. In their study, Kwadwo Appiagyei-Atua, Klaus D. Beiter, and Terence Karran conclude that Côte d’Ivoire does not comply with the indicators of academic freedom, including self-governance, individual rights and freedoms, and institutional autonomy.¹⁷ In this article, I expand on this literature by providing contextual details about the restrictive policies that keep the country from meeting the criteria of academic freedom formulated in the International Labour Organization / United Nations Educational, Scientific, and Cultural Organization (ILO/UNESCO) recommendation.¹⁸

The research underpinning this essay relies on materials collected from several interviews conducted from 2013 to 2017 at Ivorian public universities.¹⁹ A team of four research assistants regularly attended and observed not only significant campus events organized by student unions but also the groups’ meetings with faculty and university and state authorities. In the postwar context, the main demand of student unions was the freedom to gather and speak out against their harsh conditions of study. At the UFHB and UAO, the team interviewed leaders of student unions, but also other students, both members and nonmembers of the unions, who participated in events occurring on campus, as well as some faculty. The research assistants also compiled official statements of state and university authorities regarding incidents on and off campus. The essay also draws on reports by human rights organizations and in local newspapers.

¹⁴ Philip Monypenny, “Toward a Standard for Student Academic Freedom,” *Law and Contemporary Problems* 28, no. 3 (1963): 625–35.

¹⁵ Bruce Macfarlane, “Re-framing Student Academic Freedom: A Capability,” *Higher Education* 63, no. 6 (2012): 719–32.

¹⁶ Scholars at Risk (SAR), *Free to Think 2018: The Report of Scholars at Risk Academic Freedom Monitoring Project* (New York: SAR, 2018), 4–5.

¹⁷ Kwadwo Appiagyei-Atua, Klaus D. Beiter, and Terence Karran, “A Review of Academic Freedom in African Universities through the Prism of the ILO/UNESCO Recommendation,” *Journal of Academic Freedom* 7 (2016): 1–23.

¹⁸ The UNESCO General Conference adopted the ILO/UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel in November 1997.

¹⁹ Because few student unions exist in private higher education institutions, this essay examines only public universities.

Political Background and the Postwar Higher Education Sector in Côte d'Ivoire

Between 1960 and 1999, Côte d'Ivoire was one of the most stable countries in West Africa. In the 1970s and 1980s, the country experienced a period of prosperity called the “economic miracle,”²⁰ during which the state allocated 40 percent of its national budget to public education, including universities.²¹ However, the country's first president, Houphouët-Boigny,²² relied on single-party rule by the Democratic Party of Côte d'Ivoire (PDCI) to implement state capitalism without development, which eventually plunged the country into a severe economic crisis.²³ In 1990, the structural adjustment plan of the International Monetary Fund (IMF) forced the state to drastically lower the higher education budget to 20 percent of the education budget and from 23 percent in 1979 to only 6 percent of the national budget²⁴. As a consequence, the government could afford neither to build new facilities nor to restore the old ones. With the combination of chronic neglect, rapidly increasing numbers of students, and class overcrowding, the quality of education decreased significantly. The dropout rate increased to 17.6 percent.²⁵ The government's ineffective responses to these problems triggered frequent demonstrations by the Federation of Students of Côte d'Ivoire (FESCI), as well as violence on campuses. From the 1990s to 2010, the country's public universities did not function normally, alternating between years when schools failed to open and incomplete academic cycles called *années blanches* (“blank years”). The permanent unrest in higher education and growing demand for democracy led to crises culminating in the December 1999 coup, which inaugurated a period of prolonged politico-military turmoil worsened by a military rebellion in September 2002. After a long peace-building process, a presidential election was held in 2010. Unfortunately, this election did not bring peace to Côte d'Ivoire. Both opposition candidate Alassane Ouattara and incumbent Laurent Gbagbo claimed victory, leading to a civil war that raged from December 2010 to April 2011.

In the postwar economic context, the government made efforts to rehabilitate the education system. It increased the education share of the total budget to 22 percent in 2016, or 1.233 billion West African CFA

²⁰ Abou B. Bamba, *African Miracle, African Mirage: Transnational Politics and the Paradox of Modernization in Ivory Coast* (Athens: Ohio University Press, 2016).

²¹ Institut National de la Statistique (INS), *Recensement général de population et de l'habitat* (Abidjan: INS, 1998).

²² Samir Amin, *Le développement du capitalisme en Côte d'Ivoire* (Paris: Minuit, 1967).

²³ Victor T. Le Vine, *Politics in Francophone Africa* (London: Lynne Rienner, 2007).

²⁴ See La Banque Mondiale, *Dépenses consacrées à l'enseignement supérieur (% des dépenses publiques consacrées à l'éducation)*,

<https://donnees.banquemondiale.org/indicateur/SE.XPD.TERT.ZS?end=2015&locations=CI&start=1971>.

²⁵ Institut National de la Statistique (INS), *Rapport d'activités annuelle* (Abidjan: INS, 2003).

francs (about \$US2.098 million).²⁶ In 2017, the country had dozens of institutions of higher learning offering courses in sciences and technology, art, social sciences, and the humanities. These included the following:

- Five public universities: The Université Félix Houphouët-Boigny, located in the Abidjan neighborhood of Cocody, was founded in 1964 and enrolled 70,000 students in 2015. The Université Nangui Abrogoua (UNA), formally the Université d'Abobo-Adjamé and also in Abidjan, was created in 1994 and has 5,000 students. The Université Alassane Ouattara, formally the Université de Bouaké (in central Côte d'Ivoire), opened in 1994 and enrolled 30,000 students in 2015. The Université Jean Lohourignon Guédé in Daloa (in the western half of the country), formerly a graduate center of research, became a university in 2012 with about 2,000 students. The Université Peleforo Gon Coulibaly in Korhogo (in the north) has 4,000 students.
- Two public higher professional schools located in Yamoussoukro (in the center).
- Thirty-eight private universities, all located in Abidjan and Grand-Bassam (in the south).
- Dozens of private higher professional schools across the rest of the country.

Postwar higher education reconstruction

The aftermath of crisis often opens new opportunities for symbolic, infrastructural, and administrative rehabilitation of universities routinely destroyed during civil war. The postwar Ivorian government tried to use reforms in higher education as a means to rebuild unity and peace in the torn nation. For example, the Université de Cocody was renamed the Université Félix Houphouët-Boigny, the president who united the country and led it into independence, to convey values of peace and dialogue. The Université d'Abobo-Adjamé became the Université Nangui Abrogoua, in honor of a chief who led his Atchan people against the French colonizers, to provide students with a model of courage and perseverance. And the Université de Bouaké now bears the name of the current president, Alassane Ouattara, in honor of his international career at the IMF and to inspire students to similar levels of achievement.²⁷ To address student concerns about living and studying conditions, authorities initiated infrastructure improvements. From 2011 to 2012, the government spent over 100 billion CFA (about \$170 million) to rebuild classrooms, finish amphitheatres, repair laboratories, fix dining rooms, repaint buildings, create green spaces, and erect athletic facilities in the country's three major universities. A portion of the funds also served to install technical equipment, including

²⁶ Agence de Presse Africaine (APA), "La Côte d'Ivoire consacrera 22% de son budget national à l'éducation en 2016," October 12, 2015, <http://news.abidjan.net/h/566778.html>.

²⁷ See Conseil des Ministres, Communiqué, August 08, 2012, 18, <http://www.gouv.ci/doc/1344503567CCM%20DU%2008%2008%202012%20VF.pdf>.

Internet service and other electronic technologies. In parallel, as in most postwar states, the Ivorian government was haunted by the fear of resurgent political violence on campus and its power to ignite the still glowing embers of war. Accordingly, the government initiated measures characteristic of its strategy of micromanaging the universities. For instance, in 2011 the authorities closed the country's public universities and campuses for one year, a measure condemned by student and faculty unions as well as parents organizations.²⁸ As in Myanmar (Burma),²⁹ this radical measure aimed to cripple campus unions and any capacity for collective action against government control over the universities.

State control of institutional functioning of universities

The Ivorian government reaffirmed the state's authority over the universities by appointing new presidents, deans, and department chairs. This was a pivotal rupture with the previous electoral and democratic process³⁰ that, for decades, had governed the autonomous hiring of university administrators. The National Union of Higher Education Professors (SYNARES)³¹ and students interviewed criticized this daily government management of their institutions as democratically regressive. They complained that the appointees were accountable to state authorities instead of to the university councils that had been elected by faculty, students, and staff since 1995. The students emphasized the appointees' inability to make decisions or freely criticize unpopular governmental measures. As explained by K. Jerome, a student in sociology at UFHB, "If the president of the university is no longer elected, it is a serious infringement of the autonomy of action on which the university status is founded."³² The government has countered that its involvement is essential to creating a violence-free "new Ivorian university." In fact, even though FESCI has committed to focus henceforth on academic affairs, using peaceful methods, and in July 2014 elected a new and reportedly moderate leader,³³ the government continued to identify the student union with its previous radicalism and violence. This view has played a significant role in undermining students' freedom of expression and association.

²⁸ Human Rights Watch, "Côte d'Ivoire: Events of 2007," <https://www.hrw.org/world-report/2008/country-chapters/cote-divoire>.

²⁹ Feuer, Hornidge, and Conrad, *Rebuilding Knowledge*.

³⁰ Based on law no. 95-696 of September 7, 1995, relating to higher education, and the pertaining decrees of August 9, 1996, the presidents of the universities are elected by representatives, themselves elected and comprised of state and city officials, professors and researchers, students, administrative, and technical staff.

³¹ See SYNARES, Statement, February 12, 2012. Abidjan.net, "Nomination du Président de l'Université de Cocody : Le Synares dénonce une mascarade," *Le Temps*, February 15, 2012, <http://news.abidjan.net/h/426449.html>.

³² He refers to the status enjoyed by the universities that confers their autonomy. For example, the police force cannot intervene on campuses without universities' agreement.

³³ Journal d'Abidjan, "Assi Fulgence : le nouveau souffle de la FESCI," May 19, 2016, <https://www.jda.ci/news/politique-dossiers-162-assi-fulgence-le-nouveau-souffle-de-la-fesci>.

Restriction of student freedom of expression and association

Police surveillance, academic bans, imprisonment, and limitations on organizing also are used to restrict the influence of student unions. For example, the creation of the Ivorian Campus Police enabled the government to intervene directly in campus life and eventually to neutralize student unions. Student leaders interviewed argued that the methods used by the police increased the likelihood of violence. According to K. Allah, a student in health sciences at the UFHB, “Agents of Campus Police enter classrooms with batons, iron bars, and knives. This is unthinkable in an institution that is supposed to protect students.” Clashes soon began between students and the new government force. In December 2013, UFHB students went on strike to complain about the lack of essentials (bathrooms, books, transportation, laboratories, microphones, classrooms, and campuswide Internet) and the steep increase in service costs (food in dining rooms, registration fees).³⁴ The Campus Police responded with arrests and brutal acts of intimidation. Clashes in February 2014 resulted in several students being wounded by the Campus Police.³⁵ For the students interviewed at the UFHB, the police operation was a violation of their liberties, and especially their freedom of expression. They alleged that the Campus Police worked under the control of the higher education minister’s cabinet to monitor students and professors considered as dissidents by the government. K. Doba, a PhD candidate in biology at the UFHB, went further to assert that “Campus Police workers were former combatants recruited by the Minister of Higher Education to track us down. But they will not prevent us from voicing our demands for better conditions.” Information from our student participants concurs with media reports that Campus Police officers were not highly educated and did not have the professional skills required to perform police tasks. These reports describe Campus Police as untrained young men who took up arms during the civil war, which taught them to respond with violence in conflictual situations.³⁶ Even though this assumption was hard to prove, the University Council acknowledged the inadequacies of the Campus Police and suspended its activities.³⁷

³⁴ Les Observateurs, “Promesses non tenues: Toujours pas de matériel pour les étudiants en pharmacie,” *France 24*, August 3, 2015, <http://observers.france24.com/fr/20150803-promesses-non-tenues-toujours-pas-materiel-etudiants-pharmacie-abidjan>.

³⁵ Les Observateurs, “La ‘police universitaire’ au cœur des tensions dans une faculté d’Abidjan,” *France 24*, February 25, 2014, <http://observers.france24.com/fr/20140225-police-universitaire-violences-universite-abidjan-cocody-tension-syndicats>.

³⁶ Les Observateurs, “La ‘police universitaire.’”

³⁷ La vision profonde, “Université FHB : « suspension » des activités de la police universitaire sur le campus (Conseil de l’université),” *Agence Ivoirienne de Presse (AIP)*, March 1, 2014, <https://lmentor.net/2014/03/01/universite-fhb-suspension-des-activites-de-la-police-universitaire-sur-le-campus-conseil-de-luniversite/>.

Meanwhile, on-campus surveillance intensified. The strategy included kidnapping, as state police forces targeted student leaders and removed them from campus. On December 13, 2012, four UFHB students were reported missing after a rally organized to denounce the poor transportation options offered students. The four were secretly held by the Bureau of Intelligence Services in Abidjan for two days without access to legal counsel. They were released without charge on December 15, 2012. For our interviewees, the government's use of intelligence police against students was an extreme means to prevent them from voicing their concerns and demands.

The government's attacks on students' civil liberties continued through threats to expel union leaders. UNA chemistry master's student T. Pascal said that the University Council threatened to expel FESCI leaders if they continued to organize protests. In the meantime, the General Association of Students of Côte d'Ivoire (AGEECI) was alleged to be working closely with the government's intelligence services. Mistrust led to campus clashes between students. In November 2015, one of these fights at the UFHB between FESCI and AGEECI students left one person dead and several injured.³⁸ In response, on December 5, 2015, the University Council expelled twelve students, including the FESCI leaders allegedly involved in the incident.³⁹ Students from this union also condemn university authorities for suspending both FESCI and AGEECI without providing any evidence against the twelve. These decisions plunged the UFHB into turmoil.⁴⁰ Students argued that, although the unions should have taken responsibility for the fight, it was clear that the council was using the incident to rid itself of FESCI.

The Ivorian government also uses imprisonment to limit students' free expression. Students are often arrested following a demonstration, sent to jail, and freed a few days or weeks later without trial. For instance, on September 13, 2017, FESCI decided to march in protest against the sudden increase in registration fees. The union called for consideration of the majority of impoverished families who could not afford the higher costs, but the authorities refused to engage with it and instead sent police to repress the march. On September 18, street demonstrations degenerated into violent clashes. Students were beaten and forty-three

³⁸ L'intelligent d'Abidjan, "Campus de Cocody: Un étudiant poignardé à mort, la police 'U' très regrettée," November 21, 2015, <http://news.abidjan.net/h/573787.html>.

³⁹ Fulgence Assi, "Côte d'Ivoire: Violence à l'université, les SG de la FESCI et de l'AGEECI radiés, ainsi qu'une dizaine d'étudiants," December 4, 2015, <http://koaci.com/cote-divoire-kolo-propos-depart-drogba-netait-moment%E2%80%A6-93807.html>.

⁴⁰ Patrice Allégbé, "Côte d'Ivoire: Des locaux du centre des œuvres universitaires de Cocody saccagés et 'incendiés,'" Connection Ivoirienne, April 14, 2016, <http://www.connectionivoirienne.net/117592/abidjan-locaux-centre-oeuvres-universitaires-campus-de-cocody-saccages-incendies-temoins>.

of them, including three young women, were arrested and jailed.⁴¹ After three weeks of intense pressure from human rights organizations,⁴² the government released the students on October 11, without charge.

The Ivorian government remains wary of student gatherings. In 2017, six years after the end of the civil war and the reopening of universities, ten student housing complexes located across Abidjan⁴³ remained closed, with growing numbers of students in extreme need of rooms. In 2013 at least two university housing complexes, Cité d'Abobo and Cité de Port-Bouët, were still occupied by army battalions.⁴⁴ In September 2017, according to media reports, many students were sleeping in classrooms, auditoriums, or even in toilets and warehouses on and around the UFHB campus.⁴⁵ For students interviewed, keeping them out of the dormitories was a way for the government to curtail their freedom of association and weaken their unions' capacity to push for the right to high-quality education. For the government, the main motive was to eliminate the roots of the structural violence that has gripped Ivorian universities. For postwar authorities, the student unions' violent past justifies the restrictive measures. The closure also aimed at reconstructing the dormitories. Although they were closed in 2011, the rehabilitation work on the university housing in Abidjan began in 2018. During its site visit on December 26, 2018, the Minister of Higher Education and Scientific Research pointed out that the work in progress aims to put the students in the best possible study conditions as of the first semester of 2019.⁴⁶

History of Collective Violence in Higher Education Institutions before the Civil War

Acknowledging the violence that has marked the past is central to the postwar program of reconstruction. Violence has been embedded in Ivorian higher education institutions through a complex and reciprocal sociopolitical construction. First, in the 1990s the government, which was supposed to protect liberties in

⁴¹ Connection Ivoirienne, "Côte d'Ivoire violences à l'Université d'Abidjan: Les étudiants arrêtés, battus et jetés en prison," July 21, 2016, <http://www.connectionivoirienne.net/119474/cote-divoire-violences-a-luniversite-dabidjan-etudiants-arretes-battus-jetes-prison>.

⁴² Including the Ivorian League for Human Rights, the Ivoirian Movement for Human Rights, and Actions for the Protection of Human Rights.

⁴³ See France24, "SOS: Étudiants sans toit en Côte d'Ivoire," September 14, 2017, <https://www.youtube.com/watch?v=dCTMS5ehGr8>.

⁴⁴ GCPEA, *Education under Attack 2014*, 3.

⁴⁵ France24, "SOS: Étudiants sans toit en Côte d'Ivoire."

⁴⁶ Albert Toikeusse Mabri, "Réhabilitation des résidences universitaires – mabri visite les chantiers, de nouveaux restaurants et résidences annoncés," 7Info, December 26, 2018, <https://www.7info.ci/rehabilitation-des-residences-universitaires-mabri-visite-les-chantiers-de-nouveaux-restaurants-et-residences-annonces/>.

academia, used police repression to violate students' rights. Second, FESCI, a student union formed to advocate for student rights, ended up spreading violence on campuses.⁴⁷

Government repression

Since independence in 1960 and under the PDCI's one-party rule, Ivorian academia has been the arena for the awakening of political consciousness in which students and professors join together in political dissent. In the early 1990s, through FESCI, students reinforced their relationship with significant opposition political parties, notably the Ivorian Popular Front (FPI), the Union of Social Democrats, the Ivorian Workers Party, and these parties' leaders.⁴⁸ Ties between political opponents and FESCI fueled the government's repressive answer to students' demands for better education. From 1990 to 1999, the government responded to students' demands mostly with brutality, by repressing meetings, demonstrations, and protests organized by FESCI. For instance, in February 1990 authorities sent police forces, which beat and arrested protesters on the UFHB campus in response to students' frantic demands to fix campus power cuts on the eve of final exams.⁴⁹ Repression worsened during the night of May 18, 1991, when soldiers assaulted students at the Yopougon campus dormitories (north of Abidjan). Students who organized a demonstration earlier that day were awakened, beaten, and tortured. Some young women were raped.⁵⁰ This event disrupted the university's functioning for a long time. It turned into a national political crisis on February 18, 1992, when the student union and opposition leaders who took the streets to demand justice for these crimes were arrested and thrown in prison for months.⁵¹

Student union violence

Frequent police violence led FESCI to adopt radical methods.⁵² Students interviewed admitted that the union, whose original goals were to defend students' rights and advocate for high-quality university education, found itself involved in social and political violence. FESCI members regularly attacked students from other unions and associations who did not support FESCI's use of force or who were deemed close to the PDCI regime. For example, on September 3, 1998, at the UFHB's Cocody campus, FESCI members assaulted students

⁴⁷ Human Rights Watch, *World Report* (2008), <https://www.hrw.org/world-report/2008/country-chapters/cote-divoire>.

⁴⁸ All these political leaders were university professors.

⁴⁹ Yacouba Konaté, "Génération Zouglou," *Cahiers d'études africaines* 168 (2002): 777–96.

⁵⁰ Yacouba Konaté, "Génération Zouglou."

⁵¹ See Amnesty International Document file:///C:/Users/ababo/Downloads/afr310081992fr.pdf; and <http://news.abidjan.net/h/426720.html>.

⁵² Eric Lanoue, "Education, violence et conflits en Afrique subsaharienne," *International Journal on Violence and Schools* 3 (2007): 94–111.

from the Reflection and Concrete Action Cell who sought to attend courses despite the union's decision to strike. Even professors who dared to teach during the FESCI strike placed themselves in danger as strikebreakers. At the same university, on April 13, 1999, a professor of biochemistry was harassed and assaulted by FESCI activists while she was teaching.⁵³ The union's violence also touched university staff, as on September 1, 1998, when the UFHB's director of student housing was taken hostage by union members demanding priority housing accommodations.⁵⁴

Over the years, extreme violence in universities worsened. Students no longer simply threw stones at police but also used rape, torture, arson, machetes, and guns in their battles with each other and with law enforcement officers. On May 31, 1999, for the first time, the police nationally televised the seizure of a cache of weapons including rifles, revolvers, and tear gas from university housing in Abidjan. When the military rebellion broke out in 2002, FESCI continued to pursue nonacademic goals and embraced narrow patriotism. It closely allied itself with the "Young Patriots" militia and committed atrocities.⁵⁵ In June 2004, AGEECI leader Habib Dodo was reportedly hanged and killed by FESCI members after being kidnapped.⁵⁶ During the 2010–11 civil war, attacks on higher education increased as universities quickly became embroiled in the conflict, with FESCI operating alongside Gbagbo's security forces. On November 30, FESCI members attacked pro-Ouattara students from the UFHB's Cocody campus in Abidjan, forcibly removing nearly fifty students from their dormitories.⁵⁷ It is this structural violence on campuses that the postwar government committed to wiping out through reforms. Nonetheless, these reforms ultimately damaged academic freedom.

Academic Freedom in Question: Student Freedom and Reconciliation

The Ivorian government's endeavors to eliminate violence from higher education institutions have been welcomed by presidents of universities, professors, staff, and groups of students. For example, at the Université Alassane Ouattara the reforms favored a more collaborative environment between the campus section of the National Union of Students in Health Sciences (SYNESS) and FESCI, and between these

⁵³ Philippe Ibitowa, "Histoire, formes et manifestations de la violence en milieu universitaire," Communication no. 1, *La violence en milieu universitaire* (2006).

⁵⁴ The New Humanitarian, "La violence politique touche le campus de Cocody," April 22, 1999, <http://www.irinnews.org/fr/report/68787/c%C3%B4te-divoire-la-violence-politique-touche-le-campus-universitaire-de-cocody>.

⁵⁵ Alfred Babo, "Faillite de l'État et administration de l'espace public politique par les 'jeunes patriotes' en Côte d'Ivoire," *Afrique en développement* 3–4 (2009): 27–45.

⁵⁶ See Human Rights Watch, *Côte d'Ivoire: Le coût de l'impasse politique pour les droits humains* (2005), 14.

⁵⁷ GCPEA, *Education under Attack*, 2.

unions and the university authorities. The UAO president aligned with the government and created a “permanent consultation framework” composed of the University Council, faculty unions, and student unions, regardless of their political ties. Within this structure, students are free to voice and bring to the table their concerns and demands. More important, according to students, this is evidence of the university authorities’ willingness to listen to them. UAO student K. Angelin concurs with professor Lazare T. that “even if the university authorities do not have immediate solutions to our problems, the consultation framework has the merit of establishing a dialogue.” On September 1, 2014, when students went on strike, the president convened a meeting with FESCI and SYNESS. The representatives of these unions explained the reasons for their strike and the president offered to find solutions to the chronic problem of insufficient financial aid. By establishing a dialogue and protecting students’ right of free expression, the UAB not only put an end to the strike but also created a peaceful environment conducive to national reconciliation. The protection of students’ academic freedom at the UAO worked so well that unions such as FESCI and AGEECI, previously radically opposed, issued a joint November 2015 statement condemning the violence that broke out at the UFHB.⁵⁸

Unlike at the UAO, at the UFHB postwar reforms hindered student academic freedom and put the reconciliation process at risk by awakening political tensions. Studies have shown that academic freedom routinely comes under fire in nations in moments of greatest tension, such as during political crises⁵⁹ and following wars⁶⁰ and terrorist attacks.⁶¹ In postconflict states like Côte d’Ivoire, recovery efforts can result in severe restrictions of human rights and civil liberties, including academic freedom, especially when governments tend to exercise authoritarian power to establish their legitimacy.⁶² The Ivorian government’s restrictive reforms and abusive actions against students, described above, bear out this observation. According to a recent study raising concerns about academic freedom in Africa, Côte d’Ivoire does not comply with the UNESCO recommendation that university councils have a “democratic structure,” and these bodies remain heavily controlled by the political authorities.⁶³ Indeed, the establishment of nondemocratic

⁵⁸ APA, “Des étudiants de l’UAO condamnent avec fermeté les violences survenues à l’Université Houphouët-Boigny,” *Abidjan.net*, December 1, 2015, <http://news.abidjan.net/h/574322.html>.

⁵⁹ John Higgins, “Academic Freedom in the New South Africa,” *Boundary* 27, no.1 (2000): 97–119.

⁶⁰ Hovevar Mayda, David Gomez, and Nelson Rivas, “Threats to Academic Freedom in Venezuela: Legislative Impositions and Patterns of Discrimination towards University Teachers and Students,” *Interdisciplinary Political Studies* 3, no.1 (2017): 145–69.

⁶¹ Henry A. Guiroux, “Academic Freedom under Fire: The Case for Critical Pedagogy,” *College Literature* 33, no. 4 (2006): 1–42.

⁶² Jansen Yakaré-Oulé, “Denying Genocide or Denying Free Speech? A Case Study of the Application of Rwanda’s Genocide Denial Laws,” *Northwestern Journal of International Human Rights* 12, no. 2 (2014): 191–213.

⁶³ Appiagyei-Atua, Beiter, and Karran, “A Review of Academic Freedom in African Universities,” 8–9.

appointments of university's administrators and the subsequent lack of institutional autonomy and self-governance put Côte d'Ivoire on the list of nations with less academic freedom. Even though William Tierney and Nidhi Sabharwal have noted that institutional autonomy is not a significant feature of academic freedom,⁶⁴ a university administration's independence and ability to self-govern are necessary conditions for the protection of free speech and academic responsibilities and rights in a fragile postwar context.

Within this lack of autonomy, attacks on student academic freedom by the Ivorian government are merely endorsed by university authorities and articulated through actions such as the expulsion of twelve students without evidence. This exclusion, considered abusive by students, meets UNESCO's criteria for unjustified eviction from education. According to UNESCO, an expulsion intending to punish or deter academic speech, content, or conduct is a violation of international human rights law concerning academic freedom (UNESCO 1974 rec; UNESCO 1997 rec.), freedom of opinion and expression (UDHR Art.19; ICCPR Art.19; etc.), and the right to education (UDHR Art.26; ICESCR Art. 13; ACHPR Art.17 etc.).⁶⁵ The attack is further worsened by the banning of student unions from Ivorian universities.⁶⁶ Although the government argued that the ban aimed to end terror on campus, the measure did not result in long-term solutions to students' problems. For FESCI leaders, the prohibition of student unionism on campus was instead the government's means of completely silencing them. This put Côte d'Ivoire among the 35.2 percent of countries that do not meet the ILO/UNESCO rule for individual rights and freedom of expression.⁶⁷

Likewise, the violence perpetrated against students by Côte d'Ivoire's new Campus Police, the kidnapping and extrajudicial detention of union leaders by the intelligence services, and the illegal imprisonments of students aiming at intimidating them fall under the Scholars at Risk typologies of academic freedom violations. In fact, the removal and illegal detention of four students in December 2012 was reported and monitored by SAR's Academic Freedom Project.⁶⁸ Based on the incidents of disappearance, wrongful imprisonment, and detention, the government's actions appear to violate multiple provisions of international human rights law, including those regarding protection of life (UDHR, ICCPR, ACPHR).⁶⁹ The attacks on

⁶⁴ William Tierney and Nidhi S. Sabharwal, "Debating Academic Freedom in India," *Journal of Academic Freedom* 7 (2016): 1–11.

⁶⁵ Scholars at Risk (SAR), *Free-to-Think 2015: Report of the Scholars at Risk Academic Freedom Monitoring Project* (New York: SAR, 2015), 16. See Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), and African Charter on Human and Peoples' Rights (ACHPR).

⁶⁶ Radio France Internationale (RFI), "Côte d'Ivoire: Tous les syndicats étudiants suspendus," July 20, 2017, <http://www.rfi.fr/afrique/20160720-cote-ivoire-tous-syndicats-etudiants-suspendus-fesci>.

⁶⁷ Appiagyei-Atua, Beiter, and Karran, "A Review of Academic Freedom in African Universities," 10.

⁶⁸ Scholars at Risk (SAR), "Academic Freedom Monitoring Project Report," December 13, 2012, <http://monitoring.academicfreedom.info/reports/2012-12-13-universite-felix>.

⁶⁹ RFI, "Côte d'Ivoire: Tous les syndicats étudiants suspendus."

student academic freedom in Côte d'Ivoire also appear to violate the Kampala Declaration and the Dar es Salaam Declaration,⁷⁰ drafted in 1990 to raise concerns about restrictions of intellectual freedom and the conflictual relations between academics and repressive powers.⁷¹ More than two decades later, in Côte d'Ivoire, as in Togo or Zimbabwe,⁷² faculty and students are still considered “dissidents” by the government and continue to face imprisonment, expulsion, and epistemic violence.⁷³ Overall, in the academic freedom rankings compiled by Appiagyei-Atua, Beiter, and Karran, Côte d'Ivoire falls among the fifteen “not-free” countries with respect to academic freedom.⁷⁴

In countries trying to emerge from a crisis, like Côte d'Ivoire, the protection of liberties in academia must be one of the cornerstones for restoring the rule of law and civil liberties after a war that dismantled human rights. Universities are a microcosm that offers the intellectual space to engage in the rebuilding of a divided society.⁷⁵ More important, campuses (re)create harmony, promoting cooperation and integration within an environment of tolerance that the postwar state needs.⁷⁶ Given that academic life is inherently based on the confrontation of ideas, in the aftermath of a war, the state must encourage and protect free speech that favors debate about the sensitive issues (ethnic division, inequality, discrimination, hatred, and xenophobic rhetoric) that led to civil war. Without this outlet, the constant rhetorical and other assaults on people, including attacks on students' freedom, may inflame political tensions and threaten the postwar reconstruction process. For example, after students were beaten and thrown in jail in 2017, the opposition FPI called on its followers to join student protests in the streets.⁷⁷ This support not only could have turned the student movements into a national conflict but also endangered national reconciliation insofar as the government does not guarantee open dialogue, human rights, and civil liberties. Most reconciliation and peacebuilding programs in Africa rely

⁷⁰ Kampala Declaration on Intellectual Freedom and Social Responsibility, November 1990 / Dar es Salaam Declaration on Academic Freedom and Social Responsibility, April 1990.

⁷¹ Mahmood Mamdani and Diouf Mamadou, *Academic Freedom in Africa* (Dakar: CODESRIA, 1993).

⁷² Simukai Chigudu, “Academic Freedom in Africa 25 Years after the Kampala Declaration,” *Africa at LSE* (2016), <http://blogs.lse.ac.uk/africaatlse/2016/05/25/academic-freedom-in-africa-25-years-after-the-kampala-declaration/>.

⁷³ Ian Taylor, “The Limits of the ‘African Miracle’: Academic Freedom in Botswana and the Deportation of Kenneth Good,” *Journal of Contemporary African Studies* 24, no.1 (2006): 101–22.

⁷⁴ Appiagyei-Atua, Beiter, and Karran, “A Review of Academic Freedom in African Universities,” 19–20.

⁷⁵ Barakat and Milton, “Higher Education Vital to Post-conflict Rebuilding.”

⁷⁶ United Nations Educational, Scientific, and Cultural Organization, *The Hidden Crisis: Armed Conflict and Education*, EFA Global Monitoring Report (Paris: UNESCO, 2011).

⁷⁷ David Yala, “Manifestations contre les frais annexes de scolarité: Le FPI appelle ses militants à marcher ce lundi matin auprès de la FESCI,” *Linfodrome*, September 17, 2017, <http://www.linfodrome.com/societe-culture/33846-manifestations-contre-les-frais-annexes-de-scolarite-le-fpi-appelle-ses-militants-a-marcher-ce-lundi-matin-aupres-de-la-fesci>.

on truth and reconciliation commissions (TRCs).⁷⁸ This transitional mechanism, as implemented in Sierra Leone,⁷⁹ for example, can facilitate acknowledgement of the tragic past and the search for ways to prevent it from being repeated. Even in the Gambia, where it resulted from Yaya Jammeh's dictatorship, the national TRC worked effectively to guarantee freedom of expression and media pluralism.⁸⁰ To achieve this mission, TRCs rely on two basic instruments: dialogue and public hearings. For these tools to operate efficiently, the state must reliably protect the freedom of everyone, especially students and other scholars, to express their concerns and demands. In Côte d'Ivoire, regrettably, the government's attacks on student academic freedom undermined the efforts of the national Commission for Dialogue, Truth, and Reconciliation. As its chair told President Ouattara on December 15, 2014, restrictions of liberties and violations of human rights remain the major threats to successful postwar reconstruction in Côte d'Ivoire.⁸¹

Conclusion

Implemented in the name of reconstruction and the elimination of violence, Ivorian postwar state reforms ultimately have undermined academic freedom in higher education. The state has used various stratagems, including threats, arrests, imprisonment, and the dismantlement of student unions. Historically, higher education institutions are often bastions of dissent and contestation. They are also places of inquiry for equality and proper work and study conditions. Because of their autonomous nature and roles as homes of independent thought, universities were fulcrums for the social and political changes that took place from 1990 onward. In Côte d'Ivoire students were at the forefront of protests to demand high-quality education and democracy. However, following the violent government response to their demands, students and their unions rose up in violence themselves. With the rebellion crises of 2002, the destabilization of the education system worsened as FESCI pursued and expanded extreme violence, not just in academia but also in the political arena.

After the war ended in 2011, the new government strove to ensure that universities achieved peace by improving their institutional organization. To this end, it implemented reforms that yielded positive effects.

⁷⁸ Ibrahim Magara, "Transitional Justice and Democratisation Nexus: Challenge of Confronting Legacies of Past Injustices and Promoting Reconciliation within Weak Institutions in Kenya," *African Journal on Conflict Resolution* 16, no. 1 (2016): 9–34.

⁷⁹ Abu Bakarr Bah, "The Contour of New Humanitarianism: War and Peacebuilding in Sierra Leone," *Africa Today* 60, no. 1 (2013): 3–26.

⁸⁰ See Media4Democracy, *Freedom of Expression and Media Pluralism in the Gambia: Analysis in the Context of Democratisation and Transitional Justice* (Brussels: Media4Democracy.EU, 2018).

⁸¹ Ivoirebusiness, "Côte d'Ivoire - CDVR: Banny remet son rapport à Ouattara et demande la libération des prisonniers politiques," December 16, 2014, <https://www.ivoirebusiness.net/articles/c%C3%B4te-divoire-cdvr-banny-remet-son-rapport-%C3%A0-ouattara-et-demande-la-lib%C3%A9ration-des>.

At the Université Alassane Ouattara, where student unionism and freedom of expression are respected and protected, the authorities have created a more peaceful and collaborative environment. They achieved this by designing a framework for permanent on-campus social dialogue between different entities. In other words, violence in higher education institutions can be overcome not by controlling, forbidding, or repressing liberties but rather by reinforcing faculty and student rights and freedoms, as well as by promoting participatory democracy within union leadership and university administrations. However, sources of anxiety remain, and the government should pay adequate attention to them if it wishes to end violence and repression at the Université Félix Houphouët-Boigny. This approach would also give student unions a chance to renew their commitment to use nonviolent methods and to focus on academic affairs rather than political problems. In this sense, promoting academic freedom on campuses should be viewed, respected, and upheld as a primary civic duty by students, university leadership, and state authorities to contribute to the rebuilding of a peaceful postwar Ivorian society.

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