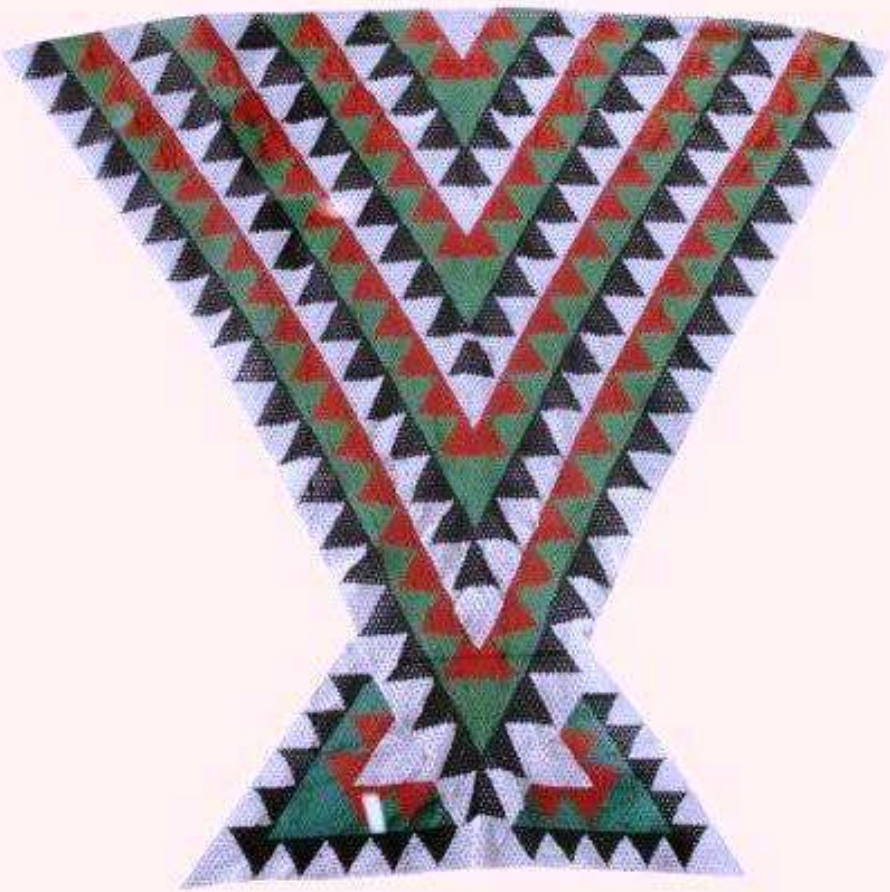
INKANYISO

The Journal of Humanities and Social Sciences



Volume 8(1) 2016

Inkanyiso

Journal of Humanities and Social Science
ISSN 2077-2815
Volume 8 Number 1 2016

Publisher
Rosslyn Press, Academic Publishing and Editing:
Specialist English editing and final layout of academic theses, etc.
Pretoria, South Africa
Managing Editor: Dr Ian Raper
Publishing Editor: Mrs E van Dyk
rosslyni@lantic.net; www.rosslynpublishers.com

EDITORIAL

Dear *Inkanyiso* readers,

It is my pleasure to present *Inkanyiso* Vol. 8 No. 1. This issue consists of eight scholarly articles, covering the academic disciplines of history, library and information science, management, philosophy and political studies.

The first two articles, in the field of philosophy, delve into its theories and development. In "Kant's theory of concept formation and the role of mind", Francis Israel Minimah from the University of Port Harcourt, Nigeria, attempts to analyse how Kant "sets out to discover and justify the principles underlying objective judgements" and how he argues that the human mind brings 'something' transcendental to the object it experiences'. The work further shows the influences of Kant's conception for subsequent development of the philosophy mind and consciousness. In the second article, by David Oyedola, from the University of Ile-Ife, Nigeria, entitled "The contribution of philosophy to Africa's development", David acknowledges that Africa not only lags behind in development but also in philosophy, science, politics, and technology. He suggests that philosophers could proffer various solutions, which he discusses in the article, to African leaders. The third article, "The suppression of political opposition and the extent of violating civil liberties in the erstwhile Ciskei and Transkei Bantustans, 1960-1989" is by Maxwell Shamase from the University of Zululand, South Africa. Maxwell interrogates the nature of political suppression and the extent to which civil liberties were violated in the erstwhile Ciskei and Transkei. He narrates the use of the Bantustans by South Africa for suppressing opposition, how Bantustans borrowed repressive South African legislation and, in addition, supported this with emergency-style regulations passed with South African assistance. He adds the information that police in the Bantustans often targeted political opponents rather than criminals, as the South African Police (SAP) did in South Africa.

Performance management systems are highly regarded – and yet often controversial – in human resource management in organisations. The fourth article, "Effect of leadership styles on successful implementation of a performance management system", is by Jane Sang and James Sang from Moi University, Kenya. The two authors argue that although a well implemented performance management system can have immense benefits, it has been reduced in many organisations to a mechanical, end-of-the-year requirement for information. They recommend that organisations should adopt a more strategic leadership style if they are to successfully deliver the contiguous stages required.

The fifth and sixth articles focus on library and information studies. "Outsourcing information communication technology services in selected public university libraries in Kenya" is by Naomi Mwai and Joseph Kiplang'at from the Technical University of Kenya, and David Gichoya from Moi University, Kenya. The three authors investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges facing libraries in outsourcing ICT services. They conclude that there is a need for library managements to be conversant with outsourcing procedures and recommend outsourcing policy review and the involvement of librarians in the outsourcing process and implementation. The next article, focusing on information literacy, is extremely essential for lifelong learning and more so for enabling better information access and use. Ephraim Mudave from the Africa International University, Kenya, in his article "Information Literacy (IL) learning experiences: A literature review", provides theoretical development of IL through a broad-based literature review that includes an overview of IL learning initiatives in academic environments in developed and in developing countries. He concludes that in Africa, despite infrastructural, technological and personnel challenges, many countries have insignificant IL learning initiatives at individual university levels and recognizes that more work is required to develop IL in the region.

The last two articles focus on political studies. In the first one, entitled "The role of the African Union (AU) in preventing conflicts in African States", Oluwaseun Bamidele, from the Institute of Peace, Security and Governance, Ekiti State University, Nigeria, recognises that regionalism is present throughout the international system, and regional organisations are widely considered to play an important role in relation to regional and sub-regional security. He also argues that the AU has played an important role in averting violent conflict in a number of cases in Africa. In the last article, "Jonathan's Constitutional Conference in Nigeria: A reflection and a radical critique", Adeniyi Basiru from the University of Lagos, Nigeria, Mashud Salawu from Southwestern University, Nigeria and Martins Arogundade from Lagos State Polytechnic, Nigeria, examine the most recent attempt at Nigeria's constitutional engineering in 2014. They argue that constitution-making should not be left in the hands of an exclusive few, as is currently the case, but must be inclusive enough to be a true people's constitution.

Enjoy the reading

Dennis Ocholla

Editor-in-Chief

Inkanyiso: Journal of Humanities and Social Sciences

Inkanyiso

Journal of Humanities and Social Science
ISSN 2077-2815
Volume 8 Number 1, 2016

Contents

Kant's theory of concept formation and the role of mind

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The emphasis of the rationalists on concept formation is traceable to the unfolding of the mind's innate powers in producing ideas within itself. The empiricists, on the other hand, beginning with the data of experience as the source of all our legitimate concepts and truths of the world, conceive the mind as contributing nothing to the knowing process – a position that had severe negative consequences for human knowledge. Immanuel Kant's response to his predecessors was to formulate a new theory of concept formation in which he conceives the crucial role our minds play in the determination of the forms of our knowledge. The key to the progression in this paper which shows its most important contribution is not only the attempt to analyze how Kant "sets out to discover and justify the principles underlying objective judgements" but also his arguments that the human mind brings 'something' transcendental to the object it experiences. This view, which is revolutionary, represents a turning point in Western philosophy and indicates the need for new conceptual schemes of the mind that became manifest at the beginning of the 19th century. This is tremendously evident in Heidegger's philosophy and in mentalistic psychology from Freud to Chomsky.

Keywords: concept formation, mind, critical philosophy, subject-object, Emmanuel Kant

Introduction

From the very beginning of the philosophical enterprise, the problem of the human mind, as a conscious entity seen as a relation between the object and the subject of knowledge, its function and extent in acquiring and processing information about the world and the general grounds for its reliability, has been at the forefront of the debate on cognition.A further result of this perspective was that with the modern period, the influence of the Renaissance and the advances in science, led to the emergence of rationalism – the dominant epistemological school that championed theoretical and practical assumptions that human beings can attain objective knowledge of reality by the use of reason. For them, human reason is an instrument for considering what is fixed and certain in nature. Thus, when a rationalist believes that one has a clear and distinct idea or understanding of something, it is usually taken for granted that the object in the subjective mind exists outside of consciousness. Starting with René Descartes (1595-1650), Baruch Spinoza (1632-1677) and Gottfried Leibniz (1646-1617), these advocates of rationalism have insisted that knowledge begins from the subjective self (Connor 1964: 226-269). They are all united in their support of *a priori*/necessary/analytic truths and therefore uphold the belief that the mind plays a productive role in the knowing process. Here, the emphasis is on the innate powers or capacities of the human mind to unravel independent truths by generating or producing ideas within itself intuitively and deductively without necessarily experiencing them.

The second epistemological camp – the British empiricists John Locke (1632-1704), George Berkeley (1685-1753) and David Hume (1711-1776) reacted against the alleged certainties of the rationalists' arguments about *a priori* knowledge. By arguing that the deductive rationalists' truths opened the door to metaphysical speculation without substantial evidence, these proponents of the British empiricist tradition deny the possibility of innate ideas and emphasize the belief in *a posteriori*/contingent/synthetic truths, since our knowledge of the world comes from the objects of experience (Dunn 1984:61-216). Thus, for Locke and other empiricists, the mind is a blank slate; a passive receptor that is incapable of generating its own ideas internally except as experience affords it. By the close of the 17th century, rationalism, culminated in Leibnizian philosophy, led to dogmatism in being unable to do justice to the richness and open-ended nature of experience due to its assumption that knowledge proceeds through innate ideas/faculties, in a prioristic fashion whereby the mind never seems capable of reaching outside itself. This is evident in the complete, absolute, unconditional and apodictic mode by which these philosophers had proved the structure of reality while empiricism, in an attempt to construct an edifice of knowledge based only on experience, lost itself in Hume's scepticism which destroyed the very possibility of objective scientific knowledge.

Kant and the critical philosophy

It is in response to the dissatisfaction with the dogmatic rationalists' metaphysics aided by the empiricists' scepticism that Kant developed his critical philosophy. In the preface to the *Critique of Pure Reason* (1781), Kant asked, "What and how much can the understanding and reason know apart from all experience?" (trans. Kemp-Smith 1929:12). His argument is

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that although our knowledge cannot go beyond the limits of our experience, yet it is of an *a priori* nature that is not derived from experience. At this point, Kant gives the distinction, between the rationalists "analytic" *a priori* judgements (an instance of logical truth) and empiricists "synthetic" *a posteriori* judgements (established by experience) a fresh twist by asserting that there are judgements that are both synthetic and *a priori*; thus cutting across the usual epistemological classifications. In this, Kant conceives his main problem as "How are synthetic *a priori* judgements possible?" (1929:55). That is, how is it that we can know reality *a priori*? Or what are the necessary conditions of a possible experience? This is the alternative Kant faced when he asked himself whether it is possible to go beyond analytic *a priori* judgements on one hand and synthetic *a posteriori* judgements on the other. Kant shows that in mathematics, natural science (physics) and metaphysics, we do make judgments precisely of this character (1929:52-55). By these illustrations, Kant's answer is that those of mathematics and natural science (physics) are possible but that those of metaphysics are not. His main reason in comparing the status of mathematics and natural science with that of metaphysics was twofold:

> (i) To show that the mathematical and scientific systems as justified fields of epistemology are defensible against Hume's sceptical attacks, and
>
> (ii) To expose the apparent pretensions, contradiction and illusions of the traditional rationalists' metaphysics and to substitute for them a science of the limits of human knowledge.

Against this background, Kant's argument is that experience must be of objects that conform to the general truths of mathematics and physics and not of metaphysics. This is because, for metaphysics, there are no possible objects given in sense experience which correspond to its transcendental ideas. In this way, Kant was convinced that to investigate the status of the theorems of mathematics and the most general truths of physics is to investigate the necessary conditions of a possible experience. His formulation of this general problem no doubt influences his reversal of the dominant epistemological drive for a theory of mind and consciousness by dividing the fundamental doctrines of the *Critique* into three main sections. The first, the 'Transcendental Aesthetic' (concerning the status of mathematics), deals with space and time as *a priori* elements or forms of sensibility involved in sensory knowledge. The second, its corresponding transcendental 'twin' – the 'Transcendental Logic' sub-divided into the 'Transcendental Analytic' (the understanding – which concerns the status of natural science), deals with the *a priori* or pure concepts otherwise known as the categories of our understanding and its contributions to experience; while the third – the 'Transcendental Dialectic' (reason), dealing with the status of metaphysics as criteria of knowledge, tries to show the illegitimate endeavor reason adopts if it attempts to draw conclusions about things in themselves which are outside the realms of possible experience.

Kant's theory of concept formation and the role of mind

For Kant, the two areas of the mind whose combined operations are necessary for our knowledge of objects are 'sensibility' and 'understanding'. Sensibility is the power to know objects by means of the senses while understanding is the capacity that the mind has to organize the raw matter of sensation into cognitive states of knowing. What is known is a phenomenal object and this happens as a result of the ability of sensibility or "sensuous intuition" to represent to us, in space and time, a field of appearances that are then apprehended. This means that intuition as "a state of immediate awareness" occurs when the human subject is in contact with the object of knowledge. According to Kant:

> The capacity (receptivity) for receiving representations through the mode in which we are affected by objects is entitled sensibility. Objects are given to us by means of sensibility and it alone yields intuition; they are thought through the understanding and from the understanding arise concepts (1929:65).

In his formulation: "without sensibility no objects would be given to us, without understanding no objects would be thought" (1929:93). Sensibility and understanding therefore cooperate in constituting our experience of objects external to us in the *a priori* sense, intuition of space and time such that each experience has content in that it is of something that has a necessary spatial and/or temporal form. This is the simple apprehension (pure sensibility) of a particular sensation operating (without concepts) that can be spoken in Kant's system. However, at this first level of perception, he holds that we cannot strictly speaking know our experience of particular sensible objects. In his view, this alone does not amount to knowledge or judgements until we apply concepts. In this second level, our experience or intuitions have to be brought under concepts. Here, Kant argues that the understanding makes use of certain a priori concepts which he classifies under the general headings of Quantity (unity, plurality, totality), Relation (substance, causality, reciprocity) and Modality (possibility, existence and necessity) to organize particular sensations into unified objects of experience.

The next question which arises for Kant is the question of relating the sensible to the conceptual. He claims that the application of the categories to experience is legitimate. "The explanation of the manner in which concepts can thus relate *a priori* to objects I entitle their transcendental deduction" (1929:121). In this, Kant tries to justify "how subjective condition of thought can have objective validity" (1929:124). *A priori* concepts according to him are justified if we can satisfy the transcendental condition that only through them can an object be thought. "This will be a sufficient deduction

of them … (that) will justify their objective validity" (1929:130). Kant contends that for all *a priori* concepts to be valid, they must of necessity refer to perception or the intuited. His argument for this position runs roughly as follows:

> (i) To have experience of objects and be able to make objective empirical judgements about objects, we must have the application of the categories. This is so because our notion of "object" is bound up with the category of substance and cannot be merely abstracted from experience. We could not even obtain most of our empirical concepts without the notion of unity, or a subject to which our properties applied. For instance, our empirical concept of "table" involves ascribing certain properties – having legs, being solid, having a flat top, etc. to one thing, of which we have various sensations in time. Without the category of unity, however, we would not even be able to refer several different sensations to one object. Thus, the application of the categories is a necessary condition for having experience of objects.
>
> (ii) But it is an obvious fact that we do have experiences and also make objective judgements about these experiences.
>
> (iii) Thus, the categories must apply to experience, for if they do not, we would not have any experience of objects, as we obviously do.

The above argument purports to show that the categories must apply to experience. The question remains "How do they apply, since the concepts are *a priori* and the perceptions empirical?" (1929:173). Kant thought there was no problem in seeing that one could subsume empirical instances of concepts under empirical concepts and *a priori* instances of concepts under *a priori* concepts, since the object subsumed and the concept were "homogeneous," for example both *a priori* or both empirical. Since the categories and what is subsumed under them are heterogeneous, Kant thought it necessary to use time as the connecting medium to explain the applicability of the concepts to the sensible instances. Time, being *a priori*, in the sense that it can be apprehended (intuited) before all experience, and being akin to empirical sensation in that it orders all sensations, is the way Kant explains the applicability of the categories. But if time is the factor that allows the categories to be applied to objects, then objects (if there are any) which are not in time cannot be the subject of objectively valid judgements. For these latter necessitate the application of the categories. For any knowledge to be possible therefore, according to Kant, one needs on one hand a combination of empirical intuitions (a 'manifold' of sensations received in the two fundamental forms of human sensibility, namely space and time, for apprehending particular appearances at t_1); and on the other hand, the application of the relevant categories (pure concepts of the understanding or rules which classify the particular experiences under general headings to what is given in intuition so that I can say that the application at t_1 is the appearance of a phenomenal object "table". In Kant's view "neither concepts without an intuition in some way corresponding to them, nor intuition without concepts, can yield knowledge" (1929:92). Hence, his often quoted saying: "Thoughts without contents are empty; intuitions without concepts are blind"(1929:93).

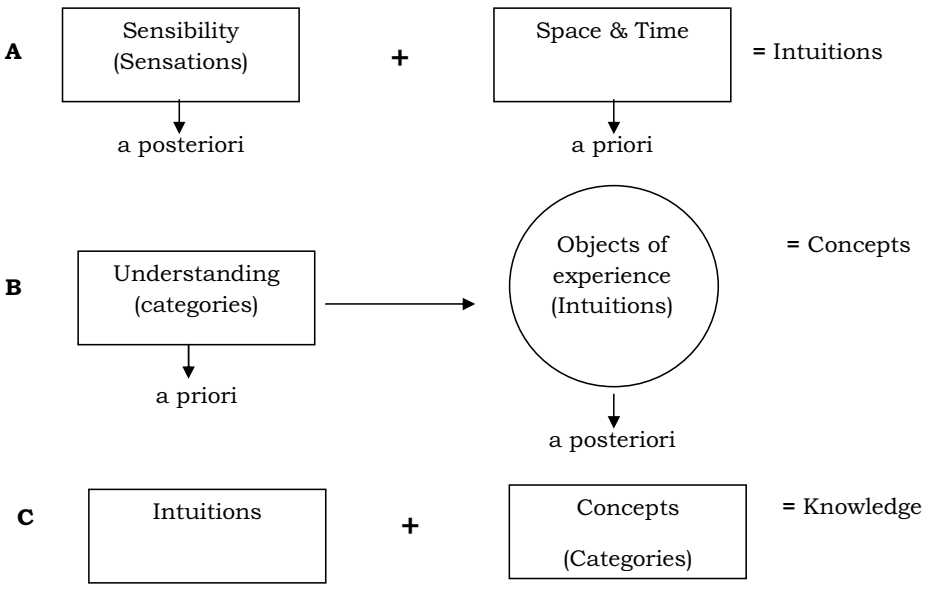

Figure 1

This diagram shows the cognitive activities of the human mind as active. Here, "objective empirical judgements" of the external world are possible when we correctly relate a concept to an object; that is when we give the concept a denotation as illustrated above.

Implications of Kant's philosophy

One major implication of Kant's philosophical postulation is the separation of thinking from sensing and reasoning. He tells us that thinking is a mental activity that takes place in very refined (fixed) conditions. Sensations, or experience, is for Kant indispensable to knowledge; but sensations are mute. They have no mental content. If we had only sensations, we would literally know nothing. Sensations, according to Kant, provide the raw materials for knowledge, but concepts are formed only by virtue of the categories of our intellect. He calls the categories a set conceptual framework that constitutes our mental/knowing activity. For Kant, we can only think in terms of or through these categories, keeping in mind that they are not in the object but in the subject. It is the categories of our minds that give form to the raw materials of sensation. If by hypothesis we had no experience, we would never be aware of the categories of our minds. In experience, we apply and become aware of these categories.

Another possible implication of Kant's argument is that when space and time and the *a priori* forms, categories (cognitive structures) of our understanding are applied to objects beyond experience, they are the ideas of pure reason. Objects outside experience are things in themselves; and thoughts about objects outside possible experience are thoughts about *noumenal* objects or objects which are not objects of sensuous intuition. Kant does not deny that there are things which exist independently of our experiences of them. What he denies rather is that we cannot know anything about these independent things, which he calls "things in themselves" (phenomena). This means all our knowledge constitutes representations of reality, whose characteristics as appearances depend on the constitutions of our minds; yet they provide the basis for objective knowledge because the categories are universal, necessary conditions of our knowing process. Thus, with Kant, Hume's scepticism about the possibility of certain knowledge was completely abandoned.

Kant calls reason a mental activity when it applies itself to concepts that are beyond experience. This, according to him, gives rise to all the problems of metaphysics and ultimately leads us to the *antinomies* that are opposite, contradictory propositions for which we can present equal valid claims (for example "time is finite", "time is infinite"). Kant's major work in epistemology is an attempt to show that we must limit ourselves in applying our knowledge to the sphere of our experience. (His *Critique of Pure Reason* is reason detached from experience). In fact, it is Kant's intent both to show that objective knowledge is possible and at the same time the limits of our knowledge, the functions it can perform and the areas to which it can be applied.

Kant and his predecessors: the Copernican turn

For Kant's predecessors, notably the rationalists, the human mind is said to be a 'conscious machine' in having the capacity to produce or generate ideas within its own operations. Consequently, knowledge consists in the raw materials or ideas that are innate in the mind corresponding to the object of thought outside of consciousness. With Descartes, each thought is a relation between the subject and the object of thought whereby the subject is affected. Here, we have the discovery of the crucial role of subjectivity in the creation of objectivity. Through the subject, we create the basic object (the self) out of which the question of certainty becomes evident. Descartes thus opens three centuries of investigation of subjectivity and analysis of the knowing process. In thinking, the Cartesian subject activates itself; it is a process of self-causation in which the subject becomes divine in the thought process. The self in Descartes is always an element of the thought process in some instances of thinking (for example in dreams), we forget ourselves. But for there to be a thought, there must be a self that thinks the thought, a distance between the subject and the object of thinking. Hence, the first part of the *Meditations* is devoted to making the self completely detached from the object of thinking. This is accomplished through the process of doubt, which is at the same time a method of self construction. Doubt shows that we are different from what we think and in this process, we suspend (the belief in) the object of thought or, using Husserlian terminology, we "bracket it". This implies a relational conception of thinking. But at the peak of the distancing process, we have a reversal. Here, we discover that the subject and the object of thinking become identical in so far as the self takes itself as the object of thought. From this, the mind derives the possibility of certain knowledge, the possibility of overcoming the gap or distance between subject and object.

False thinking for Descartes is a fundamental problem of action. The world requires action and action requires belief, even though we do not have the proper condition for achieving true belief in questions of experience. Thus, in action, we are forced to leap beyond what we can assert with certainty. If we stayed within the 'monad' of the self, we would not have false thoughts because there would be no gap between the thinker and the thing thought. But action takes us out of ourselves. It forces us to make decisions whose variables are not dependent on us. We are weak in making these decisions, so much that we are moved by our passions. The self has endless capacities; out of time but in action we have to operate in a temporal, finite context. For example, our actions in the socio-political sphere embedded in time which put unnatural constraints on our thinking is the cause of a distortion in the thought process. (This indicates the influence

of Descartes on Sartre. In Sartre as well, the moment of action is the moment of fixation or reduction of the infinitely transcending nature of consciousness.)

When the Cartesian subject is involved in the act of thinking, the self as the foundation stone of knowledge and certainty is seen as an epistemic circle, a prison from which it is impossible to escape. From now on, the question of the object of thought (where do they come from?) becomes all important. The empiricists represent such an attempt to continuously search for ways to get out of the circle of the self. For the question now is: Are the objects of thought created by us? Do we ever in our knowledge reach reality? It is in this context that the problematic of sensation becomes crucial. Sensations (with the empiricists) seem to offer a promise, the promise to be able to escape the circle of subjectivity. In sensation, something is imposed on us from the outside. Their inexhaustibility is unparallel to the inexhaustibility of the self. They seem to produce infinity within finitude. Unlike in Descartes, we are trapped within the confines of the self, finite and limited to our innate ideas and subjectivity. But with sensations, we are capable of moving out of the self to new possibilities of experience, new images and new insights. With sensations, the empiricists seem to be able to recapture the world such that, from Locke to Berkeley and to Hume, the mind of the knower is purely a passive mechanism that sorts out, separates and combines the raw data or simple ideas of sensations received from the outside world. This means that the mind has no ideas of its own produced internally except that which it generates from without to form complex ideas of reflection within.

Kant challenges the rationalists' and empiricists' assumptions; especially the assumptions of the subject (self) – object (world) polarity. Instead of deriving meaning from objects, Kant insists that we impose meaning on them. For him, the object of knowledge now revolves around the knower, rather than the knower around the object. This is often called Kant's Copernican Revolution. He likened his epistemological turn in philosophy to the Copernican revolution in astronomy. It was believed before Nicholas Copernicus that the earth was the centre of the universe and every planet revolved round it. But since Copernicus we know that the sun (and not the earth) is the centre of the universe with the earth and other planets revolving round it. In the same way, prior to Kant, the empiricists argued that ideas of sensation were merely copies of objects perceived by the senses (minds conform to objects). Kant's revolution changed the dominant epistemological views that we know objects because the mind contributes important organizing principles which make our knowledge of objects possible. (Here, objects conform to the operations of the mind). The emphasis has shifted from the mind being productive as with the rationalists, being passive as with the empiricists, to the active role of the mind with Kant in shaping the world that can be known. Thus, for Kant the mind shapes and gives form to our cognition. What we see is the product of a mental construction. Our knowing process is an active, creative process even though the conditions of our creation (space, time and the twelve categories of our intellect) are inescapable givens for us. Kant also differs from Descartes. Like Descartes, he attributes a crucial importance to the subject of knowledge but he recognizes that this subject is not an unconditional entity. That is, when applied to knowledge, subjectivity has particular forms, conditions which delimit how and what is possible for us to know. In this way, our knowledge of the world "is … no longer an independent one, its creation is shared in by mind and the laws immanent in mind" (Stegmuller 1967:265).

Kant's influences on subsequent philosophers

Kant's discovery of the crucial role our mental structure or categories play in the determination of the forms of our knowledge caused a virtual "boom" of investigations concerning the mind and its contents. By the turn of the 19th century, we have the development of cognitive psychology and with Edmund Husserl the development of phenomenology whose specific task is to study the structures and objects of consciousness. On the first level, Husserl's phenomenology provides Martin Heidegger with a source of modern existential ontology that reflects on how Kant can be interpreted as 'going beyond' the subject-object dichotomy, particularly with his formula of "Being-in-the-world". In his classic work *Being and Time* (1927), Heidegger accuses earlier metaphysicians for concentrating on just one aspect of being, thus treating 'Being as beings'; instead of going to the 'Being itself'. In his submission, this wrong conception of Being is due to the inadequate formulation of the Being question (what is Being?). This is seen in Aristotle who had reduced Beings to substances as independent entities. According to Heidegger, Aristotle fails to recognize that Being is a presence and not an existent that stands to be analyzed. He criticizes Aristotle for dealing with the 'what' rather than the 'how' of being. By so doing, he blocked access to the question of 'Being of beings' and directed all subsequent thoughts in metaphysics to the consideration of 'Being as beings'. Heidegger rejects this particularization of Being which has since become a classical identification of Being. In this, he says "… the great philosophers from Aristotle to the present day have been led astray by the nature of Being" (Quoted by Collins 1952:159).

Similarly in Descartes, Heidegger argues the fact that Cartesian dualism or substances – the 'res extensa' – has a reality (a subject or mind) over and against the 'res cognitans' (an object or body) which is the very ground for the suppression

and neglect of the Being question. He also sees Kant's critique of pure reason as offering the same task which his fundamental ontology sets out to achieve. Heidegger acknowledges Kant as "… the first and only person who has gone any stretch of the way towards investigating the dimension of temporality or has even let himself be drawn hither by the coercion of phenomena themselves" (Heidegger 1962:45). He argues that Kant would have succeeded in reaching the domain of Being but never did because of the stronghold of tradition that never allowed him into the analysis of the problematic of temporality which is the clue to the understanding of the meaning of Being. Instead, Heidegger is of the opinion that Kant was dogmatic to Descartes' conception of the ego (self) as the fundamental. In addition, Heidegger sees Kant's denial of 'noumenon' (the thing in itself) as unknowable as a further confirmation of his neglect of the meaning of Being and thus its subsequent forgetfulness.

> Kant's failure … was the result of his limiting his notion of man to man's metaphysical nature. He should have gone further and considered the nature of man not merely as an observer or even as a constitutor of his own world but as a member of that world, as a complete being in time with history and a historical duty (Warnock 1970:44).

From the above criticisms, Heidegger says that traditional philosophers remain simply on the ontic level (Being as being) instead of getting to the ontological level (Being as such). In reformulating the Being question as "why should there be anything at all rather than nothing?" Heidegger provides an explanation of how (in what sense) Being is to be understood and conceptually grasped. Consequently, he begins with an interpretation (hermeneutics) of human existence. 'Dasein' meaning 'Being there' or 'Being – here' is the German word Heidegger uses to denote human consciousness in its ontological relationship with Being. Having seen that Dasein is the only Being through whom Beings are revealed, manifested and understood, Heideger goes further to call the method of this manifestation phenomenological. According to him, "only in phenomenology is ontology possible" (Heidegger 1962:60). Phenomenology therefore becomes the method for the study of ontology. In Heidegger's view, Being is never without Being. It cannot be on its own. It must be in Being. Thus, "Being cannot be understood apart from man and man cannot be understood apart from Being. Being is man's horizon and man is the shepherd of Being" (Heidegger 1962:24). For this, Sartre is wrong if he thinks he has Heidegger's support that we are in a situation where man is alone in the world. For Heidegger, on the contrary, we are in a situation where it is only Being that exists. This is how 'Dasein' is now seen as the existence of man, taking up one's own possibilities, dread (anxiety), fear and a Being–towards–death which is an indication of his temporality and infinitude as the inevitability of his limited existence. Temporality is the ontological basis of human existence. It serves as the primordial unity of the structure of care-existentiality, facticity and fallenness. As Heidegger says "the primordial unity of the structure of care lies in temporality" (Heidegger 1962:375). This is why his concept of Dasein is historical – a Being whose existence moves from the past, the present into the future. With this fundamental ontology, Heidegger resolves 'the problem of the subject and object dichotomy in which the majority of modern philosophers tend to separate the knowing subject (the conscious self) from the known object (the world). Such perception according to Heidegger gives us a one-sided and inappropriate account of our primary relationship to the world because it sees man and the world as objectively distinct entities. Heidegger's concept of 'Being-in-the world' meaning 'dwelling-upon', 'with-Being', 'where one finds or understands one-self' indicate that man (Dasein) cannot be separated from the world. They are one, encompassing features of our experience.

On the second level, Kant's influence on the development of cognitive psychology, however, led to a reaction against the prevailing "mentalism" in psychology and philosophy. This reaction came from different sources and took different forms (though with common denominators) but in each case, it rejected some of the main assumptions of the mentalist position, which include:

> (i) That we do have a privileged access to self-knowledge and that our mind and its contents is what we know with all amount of certainty through introspection as advocated by Descartes ('Meditation' 1966:153ff) and Bertrand Russell (1967: 64 -68).
>
> (ii) That our mental, psychic or inner life is necessarily conscious. Sigmund Freud (1949:105) Noam Chomsky (1962:58ff) and
>
> (iii) That there is such a thing as a mental sphere (a mind (self), mental subject, objects, contents, events, etc.) identifiable and distinguished from the physical sphere as seen in Behaviourism and Physicalism (James 1981:21ff).

It is a central tenet of Kant's predecessors, notably the Cartesian philosophy, that the most certain knowledge that our minds have is the knowledge of ourselves such that self-knowledge through introspection has for Descartes an epistemic superiority with respect to our knowledge of the external world. He claims that though we may be deceived about the external world, we cannot be deceived about our minds, because in the mental activity both the subject and object are the same. In his words, "nothing is easier for me than to know my mind" (Descartes 1966:153). This view of course pre-

supposes that our mental activity is conscious – an assumption that Descartes shared with the empiricists. Locke for example argues that:

> Thinking, perceiving are essentially conscious processes which means they cannot be said to occur unless the person to whom they are ascribed knows that they occur (1973:216).

According to this view, the human mind is equated with consciousness in such a way that it is impossible to have feelings, desires or belief without knowing that we have them. Hence, introspection or inner intuition gives a knowledge of our mental life and this knowledge can be certain, infallible and omniscient because our mental contents constitute our minds.

This position was put into crisis by Freud's work whose main theme is that the most important part of our psychic or inner life is unconscious. Freud claims that (i) not only our mental states are not necessarily conscious but (ii) our consciousness has a dissimulating function, that is, it actively prevents, blocks, our feelings, wishes, desires, wants from becoming conscious. The main part of our mental life goes on without conscious awareness on our side; only a selected part of our inner life becomes conscious. The 'unconscious' is for Freud the "true psychic reality" and it is unknown to us (Freud 1949:120). Thus, not only do we not know ourselves better than we know the external world. Just the opposite is the case. It is more likely that we are deceived about ourselves (what we want, what we feel, etc.) than about the external world.

Freud argues that our inner reality can only be known in a limited, incomplete way insofar as consciousness has a censorship function with respect to it. That is we select what we become conscious of, we remove, repress the experience of certain feelings or wishes. Here, the Cartesian position in Freud is turned upside down. Far from having a privileged access to our mental and psychic life, we systematically dissimulate, falsify and distort the knowledge of our mental life. We distort our motives and desires more than we distort our perceptions of the external world. Thus, our mental life needs to be interpreted; we can know it by inference (from our behavior for example), but not immediately. We can reconstruct it from certain clues that we provide in our speech (for example, slips, errors) and in our actions. Freud says that often our conscious ideas of what we want point to wishes that are exactly the opposite of what we believe to be the case (for example, we may say and believe that we love a particular person or when in actual fact we hate the individual). Freud contends that our consciousness is a set of regulatory process (they regulate or select what becomes conscious or not) and only provide a clue to the actual psychic reality that lies underneath (Freud 1949:132). Repression, for Freud is a key function of consciousness. Through repression we block certain mental states, dispositions, contents from becoming conscious; we ensure that consciousness and our psychic life are disjunctive. For example, we may be angry without being aware that we are angry, without consciously experiencing anger.

Following Freud, modern psychologists insist that we separate our mental and psychic states from our consciousness. They claim that the split between the psychic and consciousness may be due to (i) defense mechanisms (for example, we remove unpleasant and painful knowledge about ourselves) or (ii) failure to integrate our knowledge and our experiences (iii) failure to interpret correctly what we experience. The meaning of our experiences has to be expressed or translated into linguistic terms, into propositions, and we may perform a mistaken translation or interpretation. According to modern psychology, only ideally do we know ourselves. For them, self-knowledge is not a given, but an achievement and indeed our behaviour may reveal more of what we think, feel, want and what we tell ourselves in our consciousness. A similar attack on the Cartesian equation of mind and consciousness passing through the Kantian model in which the mind as an entity co-ordinates and apprehend objects in a single stream of experience came from linguists such as Chomsky, whose work in the 1960s claims that our mental life as reflected in language is governed by a "deep structure" inaccessible to consciousness that represents the central feature of the mind.

Conclusion

From the broad outlines of our discussion, we can see that Kant's theory of concept formation resulted from the dissatisfaction with his predecessors' consideration of our minds' interactions with the world. However, his formulation cannot wholly lay claims to have produced a successful edifice. Still, the novel contribution of his work to the theory of mind and consciousness was this proposal of a radical solution where he compromised between the strict empiricist view which claims that all concepts are abstracted from experience and the strict rationalist view which held that all concepts are *a priori* notions in the mind. As we have seen, Kant treats the categories as do the rationalists, and empirical concepts as do the empiricists. In citing specific example in line with his argument, we demonstrated that, for us to make objective judgements about our experience, two complementary conditions are necessary. First 'something' must be given to us from the object of experience (that is we must have an intuition from the outside) and second this 'something' can be known by us only through the categories of our intellect. This means that we must attribute a definite concept to it (by bringing the intuition under a concept). In Kant's view, we know by imposing our mental categories which are universal, necessary conditions on experience. It is the knowledge of this sort that he called "objectively valid" judgements. On this

basis, Kant contrary to his predecessors, was convinced that 'mind' actively synthesized 'experience' in the knowing process; thereby bridging the gap between the subject and object. This trend no doubt witnessed Heidegger's radical break with this philosophical tradition, the impact on the development of cognitive psychology and the subsequent reactions against its philosophy.

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The contribution of philosophy to Africa's development

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Abstract

Whether Africa is compared with other continents or it is considered on its own, much of Africa is in a precarious state. Africa is known to be lagging behind in development not only in the economy, but also in philosophy, science, politics, technology, etc. This precarious state has made many scholars cynical about the contributions philosophy has made towards the development of the continent. In this study, however, it is argued that such a cynical attitude is due to a myopic conception of "development," which excludes growth in education, the economy, politics, science, the mental aspect of culture, and/or the unawareness of the fact that Africans (including the colonial and neo-colonial interferences) led the continent to a precarious state, not because of the inability on the part of the philosophers to proffer solutions, but owing to the unwillingness and failure on the part of African leaders in their un-philosophical or unrefined political, educational, economic, and scientific policies to adopt the solutions proffered.

Keywords: philosophy, development, Africa, historical growth

Introduction

Philosophy, as the study of general and fundamental problems concerning matters such as the nature of knowledge, truth, justice, politics, culture, economics, medicine, the mind, security, language, among others (Blackburn 2005: 276-277), has been said to be the root of all knowledge. It is considered as (i) the mother of all sciences (*scientia matrix*), and (ii) the science that regulates all other sciences (*scientia retrix*), to use the words of Richard Taylor (1903: 48). In other words, philosophy helps to coordinate the various activities of the people and the kinds of tools to be used in/by various inquiries or disciplines. It helps us understand the significance of all human experience. Philosophy critically evaluates and analyses the variety of human experience. It develops systems of thought about the society and the people as a whole.

One of the tasks of philosophy is the thoughtful consideration of human society. It gives insight into the actual activities of human beings in the society. In this regard, for instance, a philosopher tries to study society from a dispassionate axiological point of view, and tries to discover the link between human society and the basic essence of Ultimate Reality. What philosophy can help to achieve with its findings is to guide the society and human relationships. By so doing, philosophy can be said to contribute immensely to the growth of a/the society.

Recently, African philosophers have tried to engage in a similar philosophical task within the African society. The first generation of modern African philosophers, many of whom also happened to be political thinkers, such as Kwame Nkrumah, Julius Nyerere, Leopold Senghor, Sékou Touré, Obafemi Awolowo, and Nnamdi Azikiwe, seemed to have made noteworthy efforts in this regard. Precisely, these political thinkers perceived philosophy as a tool capable of freeing the mind of the African people. The same is true of the new generation of African thinkers, such as Kwasi Wiredu, Odera Oruka, Kwame Gyekye, Olusegun Oladipo, Moses Akin Makinde, Didier Kaphagawani, Moses Oke, Joseph Omoregbe, Claude Ake, Larry Diamond, Chinua Achebe, Ali Mazrui, Paulin Hountondji and Wole Soyinka. If the task of philosophy, as stated earlier, includes helping to coordinate the various activities of the individual and the society, and the African thinkers earlier mentioned do not differ in this idea, then, their philosophy could be assumed to have helped, in one way or another, in the quest to develop African society. However, it may be the case that these African philosophers used different mediums to express their thought concerning development in Africa, but they laid emphasis on how this quest for development can be attained in Africa. To avoid working with mere speculations, this article examines how the reflections or philosophical thinking of some of these African philosophers have contributed to the quest for African development. The aim of the reflections of some of these African philosophers is to illustrate that philosophers have refused to keep quiet over how philosophy and development seem to be gradually fading away or becoming elusive. The article adopts the philosophical method of critical and diachronic analysis to examine the thoughts of specific African philosophers, with particular reference to their contribution to African development in areas such as politics, economics, science, and social and cultural wellbeing.

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The themes that this article will address are as follows: the nature of development, philosophy and African development, how philosophy has contributed to African development, and the empirical evidence of some theories about African philosophical quests for development that cannot be recommended.

What is development?

The major reason the concept of development is considered, in this regard, is to establish how development has been used in philosophy and by philosophers. Without getting to know the nature and meaning of development and its theories, we may not be able to understand how development has been used, which theory of development is being used in Africa, and how it relates to philosophy. Hence the nature of development will be treated, coupled with its theories.

Development, from a non-technical viewpoint, is considered to be the process of change – the process of changing and becoming better, larger, stronger, or more advanced. Nevertheless, the question to be asked is "Better, in what sense?" If a society becomes better in terms of infrastructure, but still has its citizens craving for better education or they are wallowing in poverty, can such a society be said to be better? Also, if a society is better in terms of agricultural produce, but still does not understand the conceptual and critical aspects of philosophy, can such a society be said to be better? In other words, if philosophy and development means to change people both mentally and physically, questions arise about what sort of change matters. When it comes to addressing the relationship between philosophy, development and human lives, philosophy and development becomes value-laden. In her work *A Value-Laden Approach to Integrating Work and Family Life*, Sharon Alisa Lobel asserts that "value-laden refer to the presupposition of a particular set of values" (Lobel 1992: 21). The implication of Lobel's view of the term "value-laden", for Robert Chambers, is that, "when one fails to consider good things to do, it represents a tacit surrender to fatalism" (Chambers 2004: 1). The meaning of Chambers' claim may be that the right course is for each of us to reflect, articulate and share our own ideas, values and accepting them as provisional and fallible (Chambers 2004: 2). There are several theories of development as to what aspect of a society is expected to become better before it can be considered to be philosophical and developed. This is not surprising, because since the conceptualization of "philosophy" and "development" sometimes depends on values and on alternative conceptions of the good life, there is a high possibility of a variety of answers. Before the contribution of philosophy to development in Africa is considered, there is a need to address the three major discernible conceptions of "development." The first is historical – a long-term and relatively value free form of development. This sees "development" as a process of change. The key characteristic of this perspective is that development is focused on processes of structural societal change and not a change in the analytic, critical, or conceptual thinking of the people. But as it is perceived by Moses Akin Makinde, most African societies do not embrace this form of development (Makinde 2010: 11). Moreover, this conceptualization of development means that a major societal shift in one dimension, for example from a rural or agriculture-based society to an urban or industrial-based one, would have radical implications in another dimension, such as societal structural changes in the respective positions of classes and groups within the relations of production, for example – by which we mean the relationship between the owners of capital, the labour and the labourers (Deane 1965: 1-3).

On the historical long-term and relatively value free form of development, Claude Ake's attempt to analyze the abysmal situation in Nigerian and African politics, in his work on development and democracy *Development and Democracy,* cannot be ignored. His attempt to address the abysmal situation of development and philosophy in Nigeria and Africa led him to make an eloquent plea for combining democratic governance with community-based development initiatives that emphasize an upsurge in philosophical education and self-reliance, which are designed to build Africa's thinking and self-esteem by giving individual communities the opportunities to set and work toward their own political, economic and scientific goals (Ake 1996: 175).

The second conception of development is policy-related and evaluative or indicator-led. This is based on value judgments and has short-to-medium-term time horizons. The value judgment, as indicated here, is not the philosophical value but a kind that sees development as an attempt to aid the actualization of the United Nations Millennium Development Goals (MDGs); for example, the eradication of poverty, inequality, illiteracy, among other "evils" waging war against humanity. The key feature of this second perspective is that it is focused on the outcomes of change so that it has a relatively short-term outlook; which makes leading critics like Hountondji (1998), Hallen (2002), Oke (2006), Oladipo (2008), etc, to label it as "ahistorical." Another major proponent of this view is Michael Chege (1997), who is of the view that "the citizen-based and community-based alternative that is feasible to advocate for most African societies needs to acquire a wide following. The derailment of African nation-building initiatives has been destroyed or ahistorical, while most philosophical, social, political, economic, cultural and psychological developments are being succeeded by neo-colonial structures (Chege 1997: 176). The neo-colonial structures in Africa are believed to be problematic to many of the more academic members of the development community because it presupposes a set of (essentially bureaucratic or government) objectives which may not be shared by many of the people who are supposedly benefiting from development. This means that

there is a paternalistic assumption as to what is philosophical or good for people's wellbeing based on a set of universal values and characteristics.

The third conception of development belongs to the post-modernist, drawing attention to the ethnocentric and ideologically loaded Western conceptions of "development" and raising the possibilities of alternative conceptions. This conception though supports development in terms of philosophical orientation, in a way, but it draws its strength from Michel Foucault. The key element of this approach is that for post-modernists, development and underdevelopment are social constructs that do not exist in an objective sense outside of the discourse (a body of ideas, concepts and theory) and that one can only "know" reality through discourse. From this perspective, there is no such thing as "objective reality." The term "development" is believed to have been a mechanism for the production and management of the "Third World"– it is used in organizing the production of truth about the "Third World." Development, in this third conception, is believed to have colonized reality to the neglect of philosophy, and thereby to have become reality itself. Similarly, "development" is believed to be a label for plunder and violence, a mechanism of triage (Alvares 1992: 1). The post-modernists believe that the term "underdevelopment" together with its fellow evils – poverty, hunger among others – is nothing but a myth, a construct and the invention of a particular civilization (Mojid 1997: 156). Hence, to address the neo-colonial challenge facing Africa, Rahnema Mojid posits that the call for collective development after the end of colonialism makes the struggle of most Africans energetic (Mojid 1997: 157). This is because colonial struggles for freedom and emancipation of Africa were recent and most Africans were hopeful, but as it is now, little remains of that enthusiasm.

It is one thing to claim that the underdeveloped condition of the "Third World" has been taken advantage of; it is another to claim that there is no such condition. The post-modernists would have done well if they claimed that the underdeveloped condition of the "Third World" has been taken advantage of; but to claim that poverty and hunger in "the Third World" like in many African societies is nothing but myth is rather misleading: it is the denial of the predicament many African scholars have been grappling with. This predicament is highlighted by Obi Oguejiofor (2001). One aspect of this predicament, for Oguejiofor, is the way development has turned out to be elusive (Oguejiofor 2001: 27). Another aspect of this predicament is the way development has been conceptualized to the neglect of the rigour of philosophical training.

One of the confusions, common through these conceptions of development, is between development as an unintentional process, development as an intentional activity (Cowen and Shenton 1996: 6), and development as an activity in philosophy. For instance, taking the structural societal transformation as development makes development seem an unintentional process. This is why the post-modernist rejects the existence of poverty and other features of underdevelopment as myths. Similarly, taking the painstaking contribution of philosophers concerning the development of Africa on a theoretical ground without putting them into practice makes development a waste of time. Hence, theory without practice is a wasteful enterprise. In a way, the vision of the liberation of people which animated development practice, as found in Julius Nyerere's view, and replaced it with a vision of the liberalization of economies, is the goal of structural transformation which has been replaced with the goal of spatial integration. The dynamics of long-term transformations of economies and societies has slipped from view and attention has been placed on short-term growth and the re-establishing of financial balances. This shift to an ahistorical performance assessment can be interpreted as a form of the post-modernization of development policy analysis.

As Julius Nyerere correctly puts it, development is freedom; development and freedom are inseparable. For instance, he asserts that "without freedom you get no development, and without development you very soon lose your freedom" (Nyerere 1974: 25). This is reminiscent of Walter Rodney's position that Africa was deliberately exploited and underdeveloped by European colonial regimes. The combination of power politics and economic exploitation of Africa by Europeans, he says, led to the poor state of African political and economic development evident in the late 20th century (Rodney 1972: 24). However, the problem with Rodney's explication is that the condition in which African states found themselves is problematic. He oversimplifies the complex historical forces surrounding the colonial era. One of the complex historical forces surrounding the pre-colonial era was slavery (slave trade) which was made possible by the monarchs and not essentially by the colonials. Another force was the manner in which the armed forces were established, that is, they largely consisted of Africans who led military onslaughts against their fellow Africans. Another historical force was the way agricultural products were transported abroad, leaving the Africans with inadequate food supplies.

At least three aspects of freedom come to mind. First, there is national freedom – the ability of a people to determine their own future, and to govern themselves without foreign interference. Second, freedom has to do with liberty from hunger, disease, poverty and any other factors that can afflict the people. Third, there is the personal freedom for every individual – her right to live in dignity and equality with all others, her right to freedom of speech, freedom to participate in the making of all decisions which affect her life, and freedom from arbitrary arrest because she happens to annoy

someone in authority, among others. Thus, a society cannot be said to be truly developed until all these aspects of freedom are assured.

As a derivative of Nyerere's view, we can say that development and freedom without having a strong background or orientation in philosophy may make development a waste of time. Above all, the role which philosophy should be allowed to play given the need to introduce development to Africa should be unhindered. Precisely, it is in philosophical training that analysis, criticism and rigour can be attained. It is through philosophy that every theory and programme of development receives all forms of advantage or disadvantage in scope and nature.

With regard to Nyerere's practice of socialism (*Ujamaa* – familyhood, brotherhood or extended "familyhood") in Tanzania, his concern was to resist surrendering control of the direction of the economic development of Tanzania to international capitalist interests dominated by the major industrialized states or companies of the West. Countries of "the Third World," according to Nyerere, have to find ways to avoid being dominated by the developed countries before they can attain true development (Nyerere 1974: 41). In other words, when we talk about development, we ought not to focus on GDP or infrastructural transformations which concern things rather than humans, but rather on how human freedom in all areas of life needs to be enhanced. When we talk about how philosophy has contributed to the development of Africa, we ought to be thinking about the way philosophy has contributed to the liberation of African people – freeing them from all human "unfreedoms", so that they can be said to be truly developed.

From a strict view point, development has been hinged on a practicing philosophy, and when there is specialization in industrial, practical, or mechanical arts and applied sciences. In another sense, development, in the technical view-point, is the systematic use of philosophical, scientific and technical knowledge to meet specific objectives. All these concerns should be hinged on philosophical training. But as it concerns Africa, development according to a transformational view, led by Walter Rodney, is when transformation of the lives of the people takes place, in order to re-shape and re-place the colonialist government that once dominated the African society. Furthermore, development in Kwasi Wiredu's (using Didier Kaphagawani's) explication, is when the three evils of *authoritarianism* (permanent control of all aspects of life, politics included, that ensues in people doing things against their will), *anachronism* (systems or principles outliving their suitability and utility), and *supernaturalism* (the tendency to establish supernatural or religious foundations or basis for a natural code of conduct) (Wiredu 1980: 1-6 & Kaphagawani 1998: 86), are eschewed or erased from the ways of life of Africans, in politics, economy, social life and wellbeing, health, and culture. Furthermore, development from an analytical point of view, as when a normative value of psychological egoism has been put in place to help each society attain self-consciousness, will be a beacon to other societies. A typical example is Greek philosophy, which was once a light to others, and still a reference point in the modern/contemporary era.

Given Walter Rodney and Didier Kaphagawani's explications, should it be presupposed that the strict definition of development cannot be achieved in Africa? According to Claude Ake, in his work *The Feasibility of Democracy in Africa*, "one of the factors that makes liberal democracy impossible in Africa is the way we have embraced our historical lifestyle which shapes our current life or condition" (1992: 3). This implies that any concept or practice that is alien to Africa is somehow difficult for Africans to practise and maintain. As Ake posits, "the constitution of African societies as liberal democracies will be quite difficult, if not bizarre" (Ake 1992: 3). The reason is not far-fetched. Just as liberal democracy is specific to certain historical conditions (Ake 1992: 3), it presupposes that development based on the systematic use of scientific and technical knowledge to meet specific objectives and the specialization in industrial, practical, or mechanical arts and applied sciences is not part of the historical development of Africa and Africans over time.

Given the need to consider which of the theories of development should best be used to characterize development in Africa, or as to what aspect of the African society is expected to become better before it can be considered developed, it is noteworthy that development is still on-going. Precisely, none of the three conceptions/theories of development can be seen to have been chosen by any African society, because of the flaws endemic to them.

Philosophy and African development

Apart from the three approaches that see development as historical, policy-related and evaluative or indicator-led, and based on the post-modernist social constructs (where attention is drawn to the ethnocentric and ideologically loaded Western conceptions of "development"), it is noteworthy that contributions to development are not solely economic, but possess other aspects. However, no matter what these other parts may entail, the role which philosophy should be allowed to play is notable. Kwame Gyekye, for instance, in *Taking Development Seriously* is one of the advocates of the view that contributions to development are not solely economic. His perspective is that the economics-based conception of development is lopsided and terribly inadequate (Gyekye 1994: 45). He does not, in any way, presuppose that other views of development are not laced with one problem or the other; but he undertakes an analysis of the problems

associated with the economics-based conception of development, pointing out why it cannot become the monolithic conception for philosophical training or philosophical development in Africa

Kwame Gyekye, as an African philosopher, gave his own perspective of the African philosophical quest for development, using the tools of philosophy, premised on the conditions that are greatly helped by a congenial political climate and a viable ethical and cultural framework. However, Gyekye finds it difficult to steer clear of a strong economistic foundation for the society he describes to flourish. The reason for this remark is simple: his contention that the economics-based conception of development, which seems to him to have been touted by "development experts" as the monolithic framework for understanding the problem of development, fails to come to grips with two things: the complex nature of human society and culture and the rigour of philosophy. As such, it is lopsided and terribly inadequate (Gyekye 1994: 45-56). This article neither suggests that the problems facing Africa are solely economic, nor that they are totally unrelated to economics, but that they are due to the unwillingness on the part of African leaders, in their political, economic, and unscientific policies, to adopt the solutions proffered by the philosophers. No individual or society can flourish without a strong economic base. It is on the foundation of a strong economy that a nation can do at least three important things: first, take bold steps towards actualizing the programs set aside to enhance the growth of the society; second, help other societies that are in dire economic need; and three, prosecute a war. However, this economic base, as Gyekye has observed, should not be devoid of a congenial political climate and a viable ethical and cultural framework.

In considering Gyekye's analysis, Joseph Margolis' view that, there is a "conceptual continuity between the analysis of knowledge and the direction of human life" (Margolis 2002: 193) reminds us of the need for development to be seen from other perspectives. Margolis' perspective re-echoes the thought of a scholar like Eric Voegelin, who notes that, "philosophy has its origin not just simply in a desire to understand more clearly … but also in the philosopher's felt awareness of and resistance to the disorder in his surrounding culture or society – an awareness that threatens the philosopher's own soul" (Voegelin 2000: 124). Thus, if the African predicament is something that threatens our soul, then, the contribution of philosophers, at least in Africa, needs to be seriously taken into consideration.

However, the implication of Voegelin's view is that passionate thinking can only be united with deep concern for concrete issues. There are some reasons why some African literature tends toward helping to restate the importance of development in Africa – texts such as *Philosophy Born of Struggle* (Harris 1983) or *Africa's Quest for a Philosophy of Decolonialization* (Messay Kebede 2004). These texts specifically address the socio-political and cultural importance of development in Africa. However, most literature that examines development in Africa cannot be extricated from culture. As Charles Mills remarks, African philosophers often choose to specialize in ethics or social and political philosophy, or in philosophy of culture, because their lives' context directs them to these areas of philosophy (Mills 2002: 158). This does not mean there are no philosophers in Africa; rather Mills simply indicates why Africans feel so obligated to embark on a philosophy that will contribute towards the development of their embattled societies.

In an attempt to respond to the problems facing philosophy and development in Africa, Lansana Keita raises several grounds for his own personal expectations and demands, taking the responsibilities of African philosophers and other intellectuals in relation to developments in their own societies into consideration. These grounds are as follows: the prospect of socialism as a doctrine and its importance to African society, given the fall of communism in the former Soviet Union and the various disruptions in socio-economic situations taking place in other parts of the world like Egypt, Tunisia, Syria, Afghanistan, the West Bank and Gaza between Israel and Pakistan, Iraq; the calls for a diagnostic analysis of developmental problems in Africa and proposed solutions; the task which Kwame Nkrumah assigns to philosophy in the political field by making reference to Frantz Fanon and Cheikh Anta Diop on the significance of their political thought in relation to the present development issue in Africa; and the possible contribution of African philosophers from ancient Egypt to date concerning the purpose or *telos* of development (Keita 2011: 87).

As with their counterparts in Western philosophy, we can hardly find any African philosopher who actually remains totally unconcerned about the problems facing the development of their society. Every philosophy carries directly or indirectly a society project. The whole difference lies indeed, directly or indirectly, that is, in the more or less explicit nature of the project. The African philosophers who are concerned with how development takes place in Africa such as Kwame Nkrumah, Julius Nyerere, Obafemi Awolowo, Ali Mazrui, Leopold Senghor, Sékou Touré, Theophilus Okere, Claude Ake, and Larry Diamond should be credited for clarifying the social and political conditions of Africa, just like their Western counterparts Plato, Aristotle, Locke, Rousseau, Rawls, and Nozick. Their social doctrine is explicit. By "laying their cards on the table," they make it easy for the reader to assess their proposed vision.

However, the present African predicament with regard to philosophy and development can make one doubt if there is any meaningful contribution by the African philosophers towards the philosophy and development of their societies. Hardly any scholar can justifiably doubt the poor state in which African societies are at present in terms of philosophical training, etc. Concerning this, Moses Oke states:

> In either relative or absolute terms, i.e., whether we compare Africa with other continents or we take the African situation on its own, the tendency to degenerate has already become a reality in the human situation in the continent. The situation is such that no one is in doubt that generally, and in particular on the human level, much of Africa is in a precarious state. Most Africans are very deeply concerned about how to halt the fast degeneration of the human condition and how to bring about what is called some worthwhile improvement. The shared sense of feeling for the African predicament is not in doubt; the difference lies only in ideas of how best to understand and deal with the situation (Oke 2006: 333).

It is therefore surprising how the post-modernists like Niyi Osundare (1998), Barry Hallen (2002), and Segun Oladipo (2008) still think poverty and under-development attributed to societies in Africa are a myth. Unlike the post-modernists, Moses Oke points out that Africa is lagging behind in terms of development (Oke 2006: 334). Just like Oke did, Niyi Osundare notes concerning the African predicament that "Africa is the most humiliated and the most dehumanized continent in the world: her history is a depressing tale of dispossession and impoverishment" (Osundare 1998: 231). The challenge of development in Africa can best be portrayed in relation to post-colonial interference or influences, which, as Oke notes, "no sane person can contemplate today without despair (Oke 2006: 333).

We cannot conclude that African philosophers have not provided philosophies that could have helped to direct Africa's development towards the correct trajectory. The problem seems to be more that of implementing the proposals put forward. For instance, over fifty years ago the "prophetic" Kwame Nkrumah called for and wrote a book titled *Africa Must Unite*. Rather than adopting his thought as the feasible route to development, many self-seeking African leaders described Nkrumah's dream as impossible. His thought is referred to as archaic and impracticable or less effective in contemporary African society. A few decades after Nkrumah's clarion call, some European countries formed the European Union (EU) for their collective benefit and for providing global leadership. Since then, American and Asian states have also come together, challenges notwithstanding. Africa is yet to make any meaningful progress towards a union government in spite of public acknowledgement of this need by some of its leaders – with the most recent being Mohammad Gaddafi, who was being referred to as anti-Western, and was killed over two years ago. The foot-dragging approach in the unification of Africa has given rise to rapid Westernization in the guise of globalization to exploit the continent in virtually all domains of existence. In the midst of the attempts to Westernize Africa, and in the face of a weak African socio-economic and political base, Nkrumah's visionary appeal is now more urgent than ever.

In a similar manner, Nyerere stressed that Africa must not surrender control of the direction of its philosophy and economic development to international capitalist interests or international agencies dominated by the major industrialized states, as this would bring little advantage, especially to the poorest countries. His contemporary in Wiredu asked that even philosophy should be allowed to blossom, whether at the first-order philosophical level or at the professional philosophical level. Hence, Africa had to find ways to avoid being dominated by the developed countries, and this could only be done through their unity (Wiredu 1974: 47-50). Through his socialist theory, Nyerere contributed immensely to the growth of his country, and by extension, to the growth of Africa. He developed the outlines of the policies for his economically poor country. With the motto of *Uhuru na Kazi* (Freedom and Work), he at once mounted a major attack on what he considered as the three major enemies of his people – poverty, ignorance, and disease. Nyerere believed that it was unwise for a poor country to depend on the uncertain aid of the richer nations for progress. Instead, he encouraged his people to utilize their own strengths, especially their ample manpower, to develop their country on their own. His philosophy aimed to contribute to peace and stability in Tanzania in particular and in Africa in general, as he developed economic and educational opportunities in Tanzania while preserving human rights and dignity (Nyerere 1974: 19-25). He devoted much effort to two major issues – the search for justice and reconciliation. He was also one of the first African leaders to support the liberation struggle in Southern Africa.

It was not only these first generation African philosophers who used philosophy to shape Africa; later African philosophers have also tried to positively influence the intellectual aspect of African development. Similarly, philosophers such as Didier Kaphagawani, Abiola Irele, Idowu O. Williams, and Larry Diamond have suggested a new orientation towards reasoning concerning philosophy and development in Africa. This is the major task of Oke's thought in his work *Cultural Nostalgia: A Philosophical Critique of Appeals to the Past in Theories of Re-Making Africa*. He suggests a new orientation in scholarship in seeking solutions to problems pertaining to philosophy and development in Africa. As against his predecessors – Nkrumah, Nyerere, among others – Oke notes:

> Africa cannot afford to be going back in time. To "return" to the regimes of "decentralization", "communalism" ("primitive communism") and "de-monetization" will not only be counter-productive, but will further undermine the already weak and un-sustaining "philosophy", structures and institutions now in place. Such a backward-looking step will amount to swimming against the flow of current global realities. In particular, to return to the past will amount to moving against the massive and fast-moving currents of globalization—a move that will only lead to

> a further marginalization and pauperization of Africa in the significant productive and progressive activities of the contemporary world (Oke 2006: 341).

In a similar manner, rather than engaging in an intellectual discourse that lacks focus, Gabriel Massi argues for a special role for the public intellectuals or philosophers in Africa, in his work *The Role of the Public Intellectual in an African Context: Naming the Present*. Along with the rest of the world, Africa is experiencing major challenges in philosophy, whether political, economic or cultural aspects. However, contexts differ and there is a special need, given the history of Africa, for public intellectuals to "name the present" and identify the forces that are shaping the future. One way of getting this done is through genuine philosophical means. Gabriel Massi offers his account of the particular forces that African intellectuals have to focus on, and identifies what is perhaps the most central issue, such as the problem of the lack of disciplinary unity among various cultures in Africa. He argues that many theorists have given accounts of the African situation with little positive results. In effect "African Studies" are in disarray (Massi 2011: 47-49).

Massi suggests that we focus on how to cope with philosophy, change and development. This is a simple suggestion, but possibly has profound implications. Massi considers change in two ways, and asks how Africans can avoid being the passive victims of philosophy and change. He points out the complicity of African intellectuals in their negative reaction to change, seen in their mass emigration from Africa to Europe or USA for teaching and residency. Then, by contrast, he points to the positive ways in which philosophy and change may be responded to, and challenges intellectuals to make their contribution in this regard. Their role should be to use intellectual reflection to philosophy and change the present *Krisis* into a *Kairos* (Massi 2011: 51-52).

Kwasi Wiredu, according to Sanya Osha (2005), is another important African philosopher who has made a great contribution to the philosophical and intellectual development of Africa. Wiredu, for Osha, is very aware of the need for a desirable African mode of selfhood within a broadly modern framework, through which Africa can truly develop (Osha 2005: 5). Wiredu's work "Conceptual Decolonization in African Philosophy" represents a suitable summation of his philosophical interests in African development. Here, Wiredu emphasizes the need for the missing "conceptual decolonization" in an African mode of reasoning (Osha 1999: 157). Decolonization involves a tough task of recovering some fragmented traditional heritage of the people. Appealing to Fanon's conception, decolonization is considered an essential phenomenon for all colonized peoples and most especially "a programme of complete disorder" (Osha 1999: 157-158). Nevertheless, unlike Fanon's "violence", Wiredu's decolonization focuses more on a purely practical interest in doing philosophy to positively effect the change and development that Africa needs. This is not to say that Fanon had no plan for the project of decolonization in the intellectual sphere. Connected with this project as it was then conceived, was a struggle for the mental elevation of the colonized African peoples (Osha 1999: 158).

However, as compelling as Wiredu's contribution is, Osha argues that Wiredu's penchant for working with and through the languages of Africa (particularly Akan/Twi) as a basis for scrupulous critical comparisons with Western philosophy imposes too narrow and binary a focus for a conceptually comprehensive assessment of the disastrous historical, social, economic, political and psychological consequences Western imperialism continues to inflict upon Africa. Osha therefore rejects what he terms Wiredu's insistence on "analytic philosophy" as an adequate vehicle for conceptual decolonization, and embraces instead a more Continental philosophical approach as a basis for arriving at a new strategy. This involves elements of hermeneutics ("deeper" understanding) and of postmodern and postcolonial thought, and an insistence that an appreciation and account of historical and social contexts are essential if the mode of reasoning in the African context is to have the liberating and developmental impact that Osha argues it must. Along the way he provides stimulating critical synopses of the work of an impressive array of contemporary philosophers and intellectuals such as Paulin Hountondji, V.Y. Mudimbe, Ngugi Wathiong'o, to mention just a few.

How philosophy has contributed to Africa's quest for development

As noted before, since philosophy helps in developing a comprehensive system of thought about all that exists, this help can be predicated on a method with which we can perceive the contribution of philosophy to issues pertaining to people and society. Philosophy has come a long way in African life, as it has helped in addressing many issues. One issue which philosophy has helped Africa address concerns the formulation of measures to tackle neo-colonial strategies which are bent on making Africa continuously dependant on the wealthy countries of the West. If it were not through the aid of philosophy with its tools of analysis, criticism, seeking and inquiring, rigour, and scepticism, it would have been improbable, if not almost impossible, for people in Africa to understand and contribute their views to the events happening around them. Just as philosophy was used to transfer the views of the West to Africa, philosophy became a tool in the hands of some Africans like V.Y. Mudimbe, Okpewho, Placid Tempels, Moses Akin Makinde, Peter Bodunrin, Kwame Nkrumah, Julius Nyerere, Leopold Senghor, Segun Oladipo, Kwasi Wiredu, Didier Kaphagawani, Odera Oruka, Kola-Owolabi, Larry Diamond, Claude Ake, Joseph Omoregbe, Sophie Oluwole, Segun Ogungbemi, Wole Soyinka,

Chinua Achebe, Sékou Touré, Paulin Hountondji, D.A. Masolo, Kwame Appiah, Kwame Gyekye, Moses Oke, Jonathan Chimakonam, Obi Oguejiofor, Frantz Fanon, Amilcar Cabral, etc. to reject, re-write, and evaluate the gains and certain impediments making Africa lack development in philosophy, science, economy, and politics. In this regard, one way we can understand how philosophy has contributed to Africa's development is the presence and the exaltation of reason, analysis, rejections, and forward-looking perspectives by different and sometimes opposing evaluations of African philosophers.

Development through the aid of philosophy can be understood as an attempt to re-shape the African destiny in which people currently live, and for the sake of future endeavors. This is reminiscent of what K.C. Anyanwu has said concerning the impact that philosophy is having on development in Africa. He holds the view that development in Africa has come of age. Development in Africa through philosophy explains the moral praiseworthiness and blameworthiness of the possible solutions to the problems experienced in African governance (Anyanwu 1981: 23).

Although one may find it very difficult to accept the persistent cry of some Africans that Africa has been subdued by the wealthy countries of the West through their "development programmes," this cry is a derivative of the neo-colonial names such as "globalization," "one global family," "universalism," and "one racial family," that were constructed to check Africa's rate of development. The truth of such description may be contingent, but it is appealing. A counter-view is that a lot of countries or continents have developed by introspection. Many developed nations have trusted their capacities to succeed or develop over time. They have also developed by offering what is indigenous about them to the outside world. Anyone who does not have what he has personally made, and which he/she can sell to other people outside his/her presence in the global market is a waste of time and resources.

Serious stakeholders in the world market come there with their indigenous products that secure for them a genuine place on the table of importance. For example, the Chinese, as of today, do not practise democracy, but their system of government is so unique that to fault it would be preposterous. The reason is simple: the Chinese stood their ground on the things they manufactured and on the system of government that seemed to them to be best practiced.

If we consider what S.A. Ekanem asserted in *African Philosophy and Development: Contemporary Perspective*, that in the documentation of the historical development of the world Africa has been tacitly ignored (Ekanem 2006: 85), then we would be wary of the path that Africa is taking towards attaining development in philosophy, science, politics, economy, culture, etc. The reason for this, he (Ekanem) says, is simple: Africa has no cognitive power to engage in worthy (philosophical and) developmental strides (Ekanem 1985: 86). It is noteworthy that scholars such as Makinde, Bodunrin, Nkrumah, Nyerere, Cesaire, Oladipo, Hallen, Senghor, Niekerk, Sodipo, Irele, Oke, Oruka, Kaphagawani, Wiredu, Omoregbe, Oluwole, and Gyekye have emphasised how the African reflective activities (which is known as philosophy) have been used to add value to the development of the African society. However, the specific instances of how philosophy has transformed Africa have been laid bare through giant developmental strides that political philosophers such as Nkrumah, Nyerere, Senghor, Awolowo, Azikiwe, Cabral, Fanon, Garvey, to mention a few, have made in their respective regions or countries.

If we also consider the explications of Moses Akin Makinde in *African Philosophy: The Demise of a Controversy* (Makinde 2010) that philosophy exists in Africa, and Didier N. Kaphagawani's *What is African Philosophy?* (Kaphagawani 1998) that philosophical development should be allowed to blossom in Africa, it is easy to perceive why philosophy in Africa may have been cornered to a first-level discourse. Philosophy can sometimes be radical, critical, analytical, etc. to the extent that it becomes violent in criticizing itself, the society, individuals, etc. But it appears that the needless pursuit of traditions, folklores, culture, sage philosophy, and nationalistic-ideological philosophy with little or no pursuit of professional analysis of philosophical problems in Africa may have caused this setback.

Critique of some theories about the African philosophical quest for development

Examining some strategies employed by different African philosophers, given their views on what philosophy and development entails, deserves appraisal. This would help in establishing the notion that Africa itself seems not to be doing enough to engage in the things that could make the continent significant. In examining the works of different philosophers, we may come to appreciate the divergent views employed by them; however, what we call philosophy and development entails much more than what many of them have said.

For instance, Kwame Nkrumah, in *Class Struggle in Africa,* has presented us with the evidence of the African philosophical quest for development which appears appealing, but the route to this development which he posited, by all empirical means, appears difficult to recommend. It is presented in the following:

> Africa and its highland, with a land area of some twelve million square miles … could easily absorb within it, and with room to spare, the whole of India, Europe, Japan, the British Isles, Scandinavian and New Zealand. The

> United States of America could easily be fitted into the Sahara Desert. Africa is geographically compact, and in terms of natural resources, potentially the richest continent in the world (Nkrumah 1970: 13).

While considering the implications of the form of development called absorption, it is important we state that Africa's ability to absorb major countries or continents of the world on its vast area of land does not, in any way, represent a model of development which is to be followed. The first implication of this theory of absorption is the rate at which over-population would fill the continent to a state of being comatose. Sékou Touré, Leopold Senghor, Nelson Mandela and many other political thinkers or rulers have acknowledged this framework, because the capacity to absorb others may present an advantage for development. However, this does not amount to development because over-burdening a location with an uncontrollable amount of people may spell doom for development and advancement. Moreover, Nkrumah wanted development, but thought that development, first and foremost, entails the ability to absorb others.

Be it as it may, developmental policies and perspectives for advancement go beyond Nkrumah's description of absorption. Though this may not be a fair criticism of Nkrumah given his giant strides for the development and advancement of Ghana, the African region and for pan-Africanist studies, Africa could not afford to be jettisoned for over-population since its ills and demerits are real but troubling. Moreover, from his (Nkrumah's) life and career, we could perceive his niche for the study of neocolonialism, where he concluded that the feudal and violent forms of colonialism had outlived their utility (usefulness), and through that, propounded a progressive linear model of development. This model of development differs and is opposed to the Marxist-influenced model of development. The second implication is the question how the absorption of other continent(s) by Africa would help in the development and advancement of the philosophy (in the rigorous, skeptical, critical and analytical sense) in and/or of Africa? The response to this question may be difficult to attain. Precisely the way Africa manages her resourcefulness in terms of philosophical upbringing and orientation is pathetic. Much attention, in most cases, is paid to cultural development and teachings rather than serious philosophical development. Most times, criticisms are seen as rude and disrespectful rather than something to be welcomed for the sake of social development.

Another form of development lies in the ability to prospect for resources that are available. A major proponent of this view is Ali Mazrui. He opines that,

> Estimates of Africa's resources are on the whole tentative. Not enough prospecting for resources under the ground has taken place, but it is fair to say that Africa has 96% of the non-communist world's diamonds, 60% of its gold, 42% of its cobalt, 34% of its bauxite, and 28% of its uranium. Africa's iron reserves are probably twice those of the United States, and its reserves of chrome are the most important by far outside the United States (Mazrui 1980: 71).

The implication of Ali Mazrui's explication can be found in what another philosopher asserts with respect to African development. For many years now, according to Segun Ogungbemi, "African countries namely, Nigeria, Libya, Angola, Egypt, Gabon, etc. have been producing crude oil for sale to European and American markets in large quantities. Apart from mineral resources and oil, it is believed that Africa ranks among the world's largest agricultural producers" (Ogungbemi 2007: 28). Given Ali Mazrui's and Segun Ogungbemi's acknowledgment of Africa as a major suburb of natural and mineral resources coupled with the agricultural capacity, the problem that both of them have failed to see is that these resources have not stopped Africa from been perceived as a sleeping giant and a suburb of irresponsible leaders providing far below par leadership. Africa has also been perceived as a suburb of first-order level of philosophy, which Wiredu, Kaphagawani, Makinde, etc. call ethno-philosophical lifestyle and upbringing. Moreover, despite her abundance of natural, human and mineral resources, Africa is still ranked very low in terms of philosophical, scientific and technological development. It was once the case that people in Africa (Yoruba: as case-study) developed tools and locally made guns to hunt animals, protect themselves and their families, and fought wars. It was once the case that ethno-philosophy thrived in Africa. How come Africa has failed to develop or advance beyond the production of local guns despite all major civilizations advancing beyond their first-level productions? And how come Africa is still moving in circles around the ethno-philosophical method of doing African philosophy? The reason (why) may be difficult to perceive or the perception of one difficulty may not, in any case, represent the totality of the problems facing Africa.

In his address titled *A Stable and Secure Nigeria: An Asset to America*, delivered at the meeting with United States on Foreign Relations, Washington D.C. on November 10, 2014, Professor Ade Adefuye (Ambassador of Nigeria to the United States), accused the United States of not supporting Nigeria in her fight against terrorism despite the fact they have both come a long way in their relationship and that a Bi-Annual Commission Agreement was signed in 2010; whence the last point of agreement is premised on food, security and agriculture. There are certain implications to be derived from Professor Ade Adefuye's speech. One: is the United States responsible for terrorism in Nigeria? And, two: of what strategic importance are Yobe, Adamawa, and Bornu states of Nigeria to the United States of America? It can be further implied that, as far as we know and that the records , the United States is not responsible for terrorism in Nigeria. A lot may be

said here in order to force the hands of the United States to come to Nigeria's aid, such as "be your brothers' keeper," "love your neighbor/another country as yourself," "defend humanity," and so on. It is important we note that the United States is not an extension of Nigeria and the Nigerian state has to take the full responsibility for the presence of terrorism on her land. If we go back to the question of how come Africa has failed to develop or advance beyond the production of local guns, then the array of problems facing Nigeria and Africa at large will certainly become apparent. Corruption which has its cohort in misappropriation of funds, inconsistency in government's developmental goals and programs, abandoning the developmental programs of the past dispensation of leaders because of politics of calumny, and so on, are aspects of the problems facing the neo-colonial Nigerian state. On the second question, it is obvious that Yobe, Adamawa and Bornu states of Nigeria are not oil-producing states, they are not known for producing globally reckoned scientific academicians, literary giants, iron rods for prosecution of global wars, and they have no ties with the friends of the United States like Israel, France, Britain, Germany, etc. The presupposition here is that these states of Nigeria have no strategic importance to the United States.

Furthermore, in the global reckoning when it comes to adorable or refined practice of democracy, proper management of money or natural resources, welfare of the people, security of lives and property, and philosophical orientation, etc. Nigeria's integrity is minimal, low or cannot be noticed. Moreover, regarding some of the things that we have at our disposal, like oil and gas, it may be argued that they are of interest to developed nations, but other things like national thieves and armed/unarmed robbers in the name of leaders of the nation, misappropriation of public funds, electoral fraud, illegal spending from the treasury of the state on private things, and so on, are things that most serious developed nations or any serious-minded individual will not appreciate about most African nations and their leadership. To go back to the question of what strategic importance Nigeria is to the United States, Samuel Huntington writes that:

> If poor counties appear to be unstable, it is not because they are poor, but because they are trying to become rich. A purely traditional society would be ignorant, poor, and stable. By the mid-twentieth century, however, all traditional societies were also transitional or modernizing societies … The more man wages war against "his ancient enemies: poverty, disease, ignorance" the more he wages war against himself (Huntington 1968: 41).

If one needs to argue against Huntington's position, it is pertinent that one should remember the reasons why Africa (Yoruba, as case study) has failed in advancing beyond the production of local guns to kill or hunt animals in the forest or bush. Why have we stopped advancing the course of our own philosophy and development? Why do we steal our own money (public funds), act as if we are saints and deposit such stolen funds in Swiss banks, build houses and hotels in the Caribbean Islands, buy houses in UAE, etc? Why have we stopped investing in scientific developmental activities rather than killing political opponents and misappropriating our public funds? Why can't we invest in things that will aid or ease development in the future rather than spending four years to patch roads, construct bridges on small rivers, and practise the politics of distraction, calumny, thuggery, nepotism, funding people to/for holy pilgrimages, and upholding monarchy in a democratic republic? Huntington's position that "the more man wages war against "his ancient enemies: poverty, disease, ignorance" the more he wages war against himself" could not be disregarded and should not be ignored. Moreover, recent events and actions portraying African leaders as the ones undermining the development of philosophy in Africa and its various societies have been blamed on the Western imperialists. This blame presupposes that the lack of preparedness for leadership rather than rulership by the African leaders, needs to fall on others rather than the leaders taking responsibility. This attitude, they say, was caused by colonial overlords.

Another model of development that has no major role to play in the enhancement and improvement of philosophical thinking and upbringing in Africa is when the people have turned themselves to blame-agents. Here, accusing fingers are aimed at others instead of the accusers taking responsibility and rising up to change the misfortunes of Africa. This model is common nowadays. A model of development that is also common currently is the reception of foreign aid by African leaders and African nations, which portray Africa and Africans as beggars, wretched, and persistently expectant. This model of development, in a way, kills the use of one's brain, kills every attempt toward scientific and technological development, and encourages dependence rather than independence.

Since we are to show evidence of the philosophical quest for development in Africa, the models of development and the role philosophy should play, which has been discussed, questions are in order. However, does it mean that Africa is not developing? The term 'developing' is a present continuous tense. It neither represents a present tense nor a past tense. It is a term which may never allow potentials to be fulfilled. It is neither the word 'develop', 'developed' or 'developers'. It refers to a persistent lock in a state of begging and hoping. However, if we look at the language of the African nationalists and early political philosophers like Nkrumah, Senghor, Nyerere, Awolowo, Azikiwe, Touré, etc. before independence, they had one song: Africa must be free – from colonial oppression, post-colonial influence, and economic slavery of the colonial masters. The problem with these nationalists was that they directed all their energy toward the socio-

cultural and political emancipation of Africa without looking for a way in which Africa should consistently be free from mental (un-philosophical), academic, and economic slavery. This may be a reason for the emanation of the word 'developing'. Thus, while considering Karl Marx's view that "not only are they slaves of the bourgeois class, and of the bourgeois state; they are daily and hourly enslaved by the machine, by the overseer, and above all, by the individual bourgeois manufacturer himself" (Marx & Engels 1998: 43-44), it is important to note that Africa cannot attain self-realization when the productive strength and the manufacturing ability is considerably lacking and consistently locked in misappropriation of funds, corruption, taking the monies stolen from many African nations abroad, and playing politics that kills. Africa is constantly locked behind the bourgeois manufacturers of the West because of their destructive attitude towards Africa. In every civilization lies the invention of a wheel. The wheel, to a great extent, proclaims the birth of a new civilization or development. Africa has yet to do this.

Precisely, if we are to concisely address the strategic importance of Nigeria or Africa to West, we greatly need to assert that most things that we call our own are the things that any developed nation can do without. What is the point that the Western powers would want to help Africa to develop since Africa can perpetually be their market place where all manners of products (fake or genuine) or any other thing can be dropped or dumped? If it is quite needed that a feeling about Africa's quest for philosophical and scientific development should be sounded or given, a lot of things have to change about the African orientation. One: the way we practise and develop ourselves in philosophical thinking, lifestyle and orientation. Similar to this is the way we perceive ourselves as inferior-minded. Two: the way we blame others for our mistakes, woes, troubles, lacks, inabilities, wrong ue of brain or mental activities, political overbearing on matters that are at best good for the waste bin, the blame-game, misappropriation of funds and corruption, and the taking of monies that were to be used in developing Africa to banks in Switzerland, banks in the United States, Britain, and to tourist centres across Europe, Asia, Latin America, etc. should stop. Three: there should be development in education that has long-lasting effects. Four: there should be the creation of formidable institutions in which no one: monarch, president, governor, minister, pastor, bishops, imams, traditional worshippers, etc. would be above those institutions. Five, there should be a drastic reduction in the salaries of political office holders and their allowances for wardrobes, cars, houses, health, travelling, family, sickness, sitting, standing, bending, sleeping, crawling, and other forms of allowances should be discouraged. This would help the intention for holding political office or election into various public offices be 'less fancied' or discouraged, since individuals are meant to work and serve the public rather than looting the money that belongs to the public. The removal of such would make individuals prefer to have their names written on marbles, gold plates, and so on. Six: more attention should be paid to scientific development. This will not aid the view that most African icons are story tellers (literary giants) rather than scientific oriented individuals or nations. And seven: Africa should stop begging. German civilization started from somewhere, so also the American, Italian, and Chinese civilizations. Africa should develop their local "guns" into formidable weapons that can help their military fight wars against rag-tag local bandits called terrorists, etc. There is no end to development and there is no final stop to it. Development comes in various modes and it can only be acquired when there is no misappropriation of funds and when philosophical orientation and energy are not diverted, wasted, shot down, ill-prioritized, etc.

Conclusion

Disagreement in opinion, which is in itself a hallmark of philosophy, about the way to go in terms of modes of reasoning in Africa, must not be seen as a problem but rather an advantage to intellectual development in Africa. This encourages individual inventiveness rather than mental limitations that its absence may bring. In other words, like in other races, even in its evaluational ambivalence, philosophy, as this study has shown through the contributions of some philosophers, contributes immensely to the development of Africa. The problems facing Africa are expected to be taken away from the purview of the European invasion of Africa. The problems should, at best, be internalized, so that their resolution can be found without wasting much time. Similarly, the implication of the problem which was raised that the persistence of African problems is due rather to the unwillingness on the part of the African leaders to adopt properly the contributions philosophers have made to African development, is something most African leaders might deny.

One limitation is that, if care is not taken, this study could be interpreted as a political narrative on the lack of economic and political development in Africa. Another limitation is the way the study could be interpreted as political rhetoric that is mostly embedded in the sixties and seventies in Africa. Nevertheless, this study is novel, in the sense that its theme is very relevant and important to the discourse of philosophy. The precarious state in which Africa finds herself is not because of the inability on the part of the philosophers to proffer solutions, but is owing to the unwillingness and failure on the part of African leaders to adopt the solutions proffered. Hence, inasmuch as the growth of philosophy is allowed to become poor and weak every time in Africa, and when the views of philosophers on how to resolve socio-

cultural, political, educational, and scientific problems are neglected or pushed aside in Africa, it will be difficult, if not impossible, to foresee the growth of philosophy and development as we would have wanted it in Africa.

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The suppression of political opposition and the extent of violating civil liberties in the erstwhile Ciskei and Transkei bantustans, 1960-1989

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This paper aims at interrogating the nature of political suppression and the extent to which civil liberties were violated in the erstwhile Ciskei and Transkei. Whatever the South African government's reasons, publicly stated or hidden, for encouraging bantustan independence, by the time of Ciskei's independence ceremonies in December 1981 it was clear that the bantustans were also to be used as a more brutal instrument for suppressing opposition. Both Transkei and Ciskei used additional emergency-style laws to silence opposition in the run-up to both self-government and later independence. By the mid-1980s a clear pattern of brutal suppression of opposition had emerged in both bantustans, with South Africa frequently washing its hands of the situation on the grounds that these were 'independent' countries. Both bantustans borrowed repressive South African legislation initially and, in addition, backed this up with emergency-style regulations passed with South African assistance before independence (Proclamation 400 and 413 in Transkei which operated from 1960 until 1977, and Proclamation R252 in Ciskei which operated from 1977 until 1982). The emergency Proclamations 400, 413 and R252 appear to have been retained in the Transkei case and introduced in the Ciskei in order to suppress legal opposition at the time of attainment of self-government status. Police in the bantustans (initially SAP and later the Transkei and Ciskei Police) targeted political opponents rather than criminals, as the SAP did in South Africa.

Keywords: Transkei; Ciskei; suppression; civil liberties; bantustans; Operation Katzen

Introduction

This paper intends to demonstrate how bantustan legislation appeared to be more repressive than parallel legislation used in South Africa. This law enabled among others detentions, bannings of individuals and organisations, and limits on the right to strike. Most of the powers were exercised on the discretion of the commander-general of national security, Charles Sebe (Adam and Moodley 1993: 56-68). This paper will also delve into questions of whether the bantustan police acted with extraordinary brutality. For example, the Pondoland Revolt of 1960 and events in subsequent years elicited a venomous backlash from the police (still the SAP in the early years), with police assaulting detainees so badly that it appears they cared little whether detainees lived or died (Bergh and Visagie 1985: 112-121). The Human Rights Commission (HRC) recorded thirty-two deaths in detention between 1976 and 1982. The Eastern Cape accounted for eight of these (25 per cent), with five of the eight in the two bantustans (four in Transkei, one in Ciskei and three in Port Elizabeth) (Dugard 1980: 22-28).

It will be established if the bantustan authorities did have open links with vigilante groups and to what extent. The Ciskei government went so far as to make facilities available to the vigilantes: the use of the Mdantsane stadium as a base for the Green Berets in 1983, the use of a training camp for the Zwelitsha vigilantes in 1985 along with an MP to work with them, and the use of a military base and a private security company as trainers in the 1990s (Human Rights Watch/ Africa 1994: 38-44). These vigilantes were, in all cases, used to target unionists and commuters in 1983, members of progressive youth structures in 1985 and ANC members in 1990 (Johns and [?] 1991: 46). Under the military dictatorships, this trend was even more obvious as they ruled by decrees, some of which appear to have been issued on whims (Manganyi 1990: 64-73). While the police tended to operate in overt and brutal ways (detentions, torture, and assassinations), by the mid-1980s the South African military was learning how to manipulate the separate Ciskei and Transkei security forces and ultimately the politicians in the region. Such military activities became even more sophisticated in the 1990s when the need for a clandestine method of destabilising the now-legal ANC arose. The independent bantustans provided a perfect loophole for this.

The Pondoland Revolt

What became known as the 'Pondoland Revolt' took place in Pondoland in eastern Transkei in the late 1950s and early 1960s (Manganyi 1990: 91). This was an extended uprising by Pondoland groups – particularly ANC supporters who referred to themselves as iKongo members – against the imposition of tribal authorities and impending self-government for Transkei (Karis and Carter 1972-1977: 52). Numerous incidents of violence took place during 1960, including clashes between security forces and iKongo members, attacks by iKongo members on chiefs and those regarded as collaborating

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with chiefs or police, and the destruction of iKongo members' homes by chiefs. Legal methods used by the security forces to crush this revolt included the declaration of a state of emergency on 30 November 1960, widespread detentions, criminal prosecutions and banishment of families. Illegal methods included torture in custody (primarily in detention), deaths in custody, apparently due to treatment received, and the use of unnecessary force in public order policing. The over 200 statements received by the Commission in connection with this matter indicated that torture, killings and disappearances were a key feature of security force responses to this revolt (Lodge1983: 75).

On 6 June 1960, conflict developed between security forces and iKongo members at Ngquza Hill in the Lusikisiki region of Pondoland, when security forces broke up an iKongo meeting. Most accounts indicate that the meeting was teargassed from aircraft, after which police on the ground moved in, some of them opening fire, killing at least eleven iKongo members. An inquest subsequently found that at least some of the dead had been killed by fire from Sten guns (Gerhart 1978: 35). It also became known that security force members had parachuted from the aircraft. It seems clear that the SAP were involved in this incident, although the extent of their involvement is not. The SANDF told the Commission that: "In the sequence of events it is clear that the SADF was over the said period definitely not deployed in the Transkei" (Manganyi 1990: 64-73). However, the aircraft used in the operation must have been SADF aircraft used in support of police operations (the SAP had no aircraft at that time) and, if there were any parachutists, these were probably SADF members. The SAPS said they had no knowledge of the use by police of Sten guns in 1960. According to the SANDF, both police and military were armed with Sten guns (Biko 1972: 4).

Sten submachine guns were only issued to the platoon leaders (lieutenants) and platoon sergeants of which, according to the strength of the SADF elements, there were about eight in total. The troops were issued with .303 rifles. From memory, it seems that the SAP was issued with 9mm Sten submachine guns. It seems probable that the shooting was carried out by the police as, if the SADF were involved in this incident, they were probably involved as backup to an SAP operation as was standard procedure. The SAPS said it had no records from this period, but said both military and police were involved:

> Information received is that the police and soldiers were operating jointly to arrest the Pondo people. Information further indicates that soldiers were not interested to go for negotiations; as a result people were shot dead (Manganyi 1990: 64-73).

The SADF had been used in the Transkei before the Nqquza Hill incident, during Operation Duiker from 21 March 1960 to 7 May 1960, when six platoons and four Saracen troop carriers were sent to Transkei. All troops had left the region by 7 May and did not return until late November, when Operation Otter started in Durban (which involved air support to the SAP), followed by Operation Swivel from 7 December 1960, which continued at least until early January 1961. A report from the colonel in charge of Swivel to the then chief of army staff indicated that, from 16 to 30 November 1960, the SADF were involved in six operations that resulted in the detention of 1 330 people in the Pondoland district. At the same time, two mobile watches of 300 troops were sent to Bizana in terms of Operation Swivel (Ottaway 1993: 119).

While the SADF was present in support of the police during at least part of this period, it is clear that it was the police who had primary responsibility for dealing with the revolt. The main tool appears to have been mass detentions. From 27 January 1961 about 4 769 people had been detained, with 2 067 eventually brought to trial (Price 1991:44). Statements made to the Commission indicate that torture was a key part of those detentions. This was supported both by the submissions handed to the Commission by Kairos and by literature on the Pondoland Revolt. Mkambati forest was frequently named as a site of torture. This appears to have been a camp with tents in the forest during the 1960s, possibly set up during the Pondoland Revolt as a police crisis measure, later becoming an established police station. While the SAPS was unable to provide any information on the setting up of the Mkambati police station, it is understood that during the 1960s this station was under the command of Colonel Theunis Jacobus 'Rooi Rus' Swanepoel. Kairos refers to Swanepoel as a notorious police officer who played a key role in the 1960s and later became the chief interrogator of the SAP's Security Branch (Price 1991:44).

Sparks states that, immediately after the Ngquza shootings, police rounded up suspects and family members were also assaulted by police in attempts to track suspects. Suspects were detained, assaulted, tortured and released still suffering the after-effects of either torture or illness (possibly tuberculosis) contracted in detention or jail. He further states that some subsequently died; the health of others appears to have been permanently damaged (Sparks 1990: 89). In most cases police assaulted detainees to the point of permanent injury and then released them to die at home. Others returned home mentally disturbed. These cases point towards a deliberate policy of assaulting detainees, who could have been used as experimental cases by the SAP. Needless to say, detainees who died or who suffered permanent injury may have been subjected to one or more severe assaults, untreated exposure to illnesses such as tuberculosis, electric shocks (including shocks to the head), and poisoning (Karis and Carter 1972-1977: 64).

The use of vigilantes in Ciskei

The period 1983-1989 saw the rise of organised vigilantes supported by the bantustan authorities in Ciskei; the beginnings of SADF MI manipulation of the bantustans to foster inter-bantustan conflict through Operation Katzen in what may have been part of a national bantustans military strategy; the implementation of a South African security force policy of killing rather than capturing guerrillas; an increase in the use of torture in bantustans, and the first internally-initiated bantustan military coups, which led to ongoing and increasingly vicious battles between the bantustan and Pretoria security forces. During 1985, there was a national wave of vigilante groups starting to operate. These were generally groups which targeted UDF members and their allies.

Over the years, vigilantes were used on several occasions by the Ciskei authorities. Moleah (1993: 43) records the first use of vigilantes in Ciskei as being during 1974, when vigilantes known as the "Green Berets", who were members of the ruling Ciskei National Independence Party (CNIP), assaulted Mdantsane commuters during a boycott of the local bus company. In 1977 vigilantes again emerged, this time to target Mdantsane schoolchildren who were boycotting classes in protests over Mr. Steve Biko's death in detention (Horrell 1978: 42). While there was suspicion that these vigilantes were linked to the bantustan authorities and they appeared to act in support of the bantustan government, there was no clear evidence of state support for them.

However, there was clear Ciskei government support for the vigilantes that operated during the July 1983 boycott of Ciskei Transport Corporation (CTC) buses in Mdantsane. The boycott started on 19 July; on 2 August, vigilantes operating under the supervision of police were brought in to run roadblocks; they were involved in assaulting commuters (Horrell 1978: 42). Police, army and vigilantes were used to break the boycott by assaulting commuters who used taxis, trains and private cars, and taxi drivers. The vigilantes were also given the use of the central Sisa Dukashe stadium in Mdantsane as a venue for holding detainees. Moleah (1993: 61) reports that there was "overwhelming evidence" that the vigilantes were involved in the assault and torture of detainees at the stadium. Ciskei Minister of Justice, David Takane, denied knowledge of this, but did acknowledge that the vigilantes were operating with official endorsement. On 26 August 1983, the Ciskei Supreme Court granted two urgent applications restraining the security forces and vigilantes from harassing Mdantsane residents. The Ciskei authorities did not oppose the order.

At least some of these vigilantes are believed to have been recruited from government supporters in the rural regions: here the involvement of chiefs was crucial. This was another element in the increasing conflict between chiefs and their communities. By 1983, Moleah (1993) records that the tension between chiefs, headmen and the communities in Ciskei was so great that Lennox Sebe had authorised them to carry guns (Lave 1994: 483-524).

Along with the national emergence of vigilantes in 1985, vigilantes with links to the Ciskei authorities re-emerged. This time the group operated in Zwelitsha and targeted those linked to progressive structures. In September, vigilantes in Zwelitsha hunted down South African Students' Organisation (SASO) activist Zandisile Matyolo with the assistance of Ciskei security forces. Days earlier Ciskei police had threatened Mr. Matyolo's mother that he would be killed. He was chased and killed in front of witnesses (Lave 1994: 483-524). This was an extreme case and the vigilantes were subsequently prosecuted. One of those convicted was Mr. Willie Kolisile Matsheketwa, who applied for amnesty for this killing. He had been sentenced to eight years imprisonment, reduced on appeal to eleven months. Matsheketwa, at the time a Ciskei MP, joined the Green Beret vigilante group in 1976.

> While a member of the Green Berets, I used to accommodate other members who had no homes locally as some were pulled in from neighbouring localities. Some incidents of violence occurred and I was implicated as I was housing the Green Berets. This was mostly in 1976 (Lave 1994: 483-524).

He said that by 1985 he was a CNIP MP and was not involved in Green Beret activities; however, he re-joined after Ciskei president Lennox Sebe ordered men to join the group to oppose youths who wanted to burn down schools. "Those who defied this order were harassed," (Lave 1994: 483-524) said Matsheketwa. He said on one occasion he had been sent by another MP to tell a police colonel that a contingent of guards was on their way to come and assist the police to guard schools. Further incidents of violence recurred between the guards and youths who wanted to burn down schools. These guards were subsequently called Inkatha. In July 1987, vigilantes killed activist Zola Nozewu who had been involved in resistance to Ciskei rule by the Potsdam community. It is not clear how closely these vigilantes were linked to the state; however, like Matyolo, Mr Nozewu was killed after police warned his family he would die if he did not leave politics alone (Horrell 1978: 54)

When military ruler Brigadier Oupa Gqozo deposed Sebe's government, the use of state-sponsored vigilantes continued. When the clashes between Gqozo's government and ANC supporters became increasingly bloody during 1992-94, Gqozo hired a private security company – Peace Force – to guard government installations and to recruit and train members of the government's African Democratic Movement (ADM), which acted as a vigilante force. As with the 1983 vigilantes, rural chiefs and headmen were crucial in recruiting these trainees. (SAIRR 1994: 94). This group was given

training by Peace Force at the CDF military base on the coast, next door to Gqozo's private farm, and was armed with shotguns. Later Gqozo's security forces also armed headmen with G3 rifles. Needless to say, this demonstrated unprecedented levels of suppressing opposition and violating civil liberties.

Ciskei policy to subdue dissent

On several occasions during the 1980s, Ciskei targeted entire communities opposed to bantustan rule – often communities that had been subjected to forced removals or incorporation into the bantustan (Worden 1995: 80). In the mid-1980s, the Kuni community was evicted from Ciskei *en masse* and dumped at the roadside in South Africa, where they later found a home at Needs Camp outside East London.

In 1987, a large group of residents fled at least twice from Potsdam outside Mdantsane following assaults by police and vigilantes. South African security forces forcibly loaded the group onto trucks and drove them back to Potsdam. In April 1989, they were granted permanent residence at Eluxolweni in South Africa. This group had some years earlier been forcibly removed across the border into Ciskei. In August 1988, the Ciskei borders were redrawn to incorporate the Nkqonqkweni village at Peelton near King William's Town (Swartz, Leslie, and Levitt 1990: 265-86). In drawing the Ciskei boundaries in 1981, the village had inadvertently been split in two. The redrawing of the border was to enable the South African government to banish UDF activist Steve Tshwete to his home village of Nqonqkweni in Ciskei rather than Nqonqkweni in South Africa. In the following year, Nqonqkweni residents complained of repeated assaults by Ciskei forces.

This eventually resulted in a mass exodus of residents to King William's Town. Ciskei declared a state of emergency in the Peelton area and violence and bulldozing of rebels' houses followed. In a court case arising out of the conflict, the Ciskei Supreme Court found against Mr. James Fikile Phindani, a resident of Peelton village, who had been evicted from his home and dumped across the South African border by the Ciskei security police in 1989, and approved the passing of a retrospective law which allowed the Ciskei authorities to do this. Eventually the incorporation issue was quietly dropped and residents returned home (Swartz, Leslie, and Levitt 1990: 265-86).

The Peelton conflict was the beginning of widespread rural rebellion against Ciskei president Chief Lennox Sebe's rule, which resulted in initial popular support for Brigadier Oupa Gqozo, who overthrew Sebe's government in March 1990. A press report from 1989 commenting on the battles by various communities to escape Ciskei rule said:

> It's not hard to find the reasons why the communities are so desperate to leave. On the one hand, there is widespread objection to the whole notion of an 'independent' Ciskei. On the other, there are massive practical problems associated with the bantustans … [T]he territory's social benefits and facilities are generally inferior to those of South Africa. For example, old age pensions are substantially lower than in South Africa (Price 1991:66).
>
> Ciskei also demands several different types of taxes – ranging from 'development tax' to membership of the ruling Ciskei National Independence Party (CNIP). Those without the notorious 'CNIP card' may often find themselves barred from benefits and even housing.
>
> Far worse are the extremely common allegations of assaults and routine harassment – particularly of resisting communities – by Ciskei authorities. Often the Ciskei police and army are accused of acting together with vigilante groupings. CNIP membership also seems to be used by Ciskei as a measure of loyalty to the territory (Moodie 1975: 73. There are repeated stories of communities brutalised by Ciskei authorities for refusing to pay taxes and CNIP membership. Pensioners complained of their pensions being docked. Refugees from the Potsdam grouping, who three times fled Ciskei, claimed they were refused treatment at clinics, their children turned away from school. Community leaders were murdered (Price 1991:72). It could thus be concluded that the suppression of political opponents was brutal and merciless to the extreme.

Destabilisation through Operation Katzen

In January 1983, Brigadier Christoffel Pierre 'Joffel' van der Westhuizen moved to Port Elizabeth to take over as officer responsible for the SADF's Eastern Province Command. In attendance at his taking-over ceremony were Ciskei security chief General Charles Sebe and Major General Ron Reid-Daly of the TDF (Moodie 1975: 77). Over the next few years, these three men were to work together on Van der Westhuizen's ambitious Operation Katzen plan, drafted in an attempt to retain SADF control over both the Transkei and Ciskei and to use the bantustans as a bulwark against the rising tide of popular resistance.

Charles Sebe had a meteoric rise to power in Ciskei. He joined the SAP in 1957 at the age of twenty-three and was transferred six years later to the security police. He was based in Port Elizabeth for some time. In 1974, he joined the Bureau for State Security (BOSS) and worked in King William's Town where he was involved in investigating the Black

Consciousness Movement. In October 1978, he was transferred to the new Ciskei administration where he founded the Ciskei Central Intelligence Service with only three men (Manganyi and du Toit 1990: 270-82). By 1979, he was a colonel and the Ciskei police were under his control. By the end of 1981, he was a major-general and in September 1982 (following Ciskei independence and the passing of the National Security Act of 1982) he was promoted to lieutenant general and then to a new position of commander general in control of all the armed forces in Ciskei, a total of about 4 500 men. As commander general, he was paid about R3 500 per month.

As an SAP member, Sebe said he "carried my promotions in my pocket" (as he told journalist Joseph Lelyveld). Two years after the ANC was banned, Sebe, then an SAP member, joined the ANC and later helped arrest both ANC leader Govan Mbeki and members of the fledgling Poqo (Manganyi and du Toit 1990: 270-82). Sebe also appears to have been close to South African commissioner of police General Johan Coetzee: according to Lelyveld, while Sebe was in charge in Ciskei, he apparently reported directly to Coetzee and was also subject to overrule by officers seconded from South Africa. Court papers in Sebe's 1983-84 trial indicated that he had telephoned Coetzee, apparently in search of advice, the night before his arrest.

In July 1983, Sebe made one of his last public appearances as Van der Westhuizen's guest (this time at the SADF's seventy-first birthday celebrations). By the middle of July, Sebe had lost his total control of the security forces due to a re-shuffle in those forces on the president's orders, and his deputy was in detention (Worden 1995: 89). Within days, Sebe himself was detained and in June 1984 was convicted of incitement to violence, after an attempt to get his deputy released from custody. He was jailed for twelve years and leave to appeal was refused. Lennox Sebe subsequently turned down three separate appeals by South African foreign affairs minister Pik Botha to show clemency towards Charles Sebe.

In January 1985, the SADF was evicted from Ciskei following the deaths of recruits at a Ciskei base, and South Africa lost its foothold in that bantustan. By 1986, Van der Westhuizen had drafted the Katzen plans for an operation that involved a successful jailbreak, abductions and an abortive attempt to abduct or kill Lennox Sebe, in which at least two TDF members died (Worden 1995: 90). On 2 June 1986, Chief Lent Maqoma, a one-time ally of Lennox Sebe, launched his Ciskei People's Rights Protection Party; this was followed a few months later by the launch by the rebel group in Transkei of the 'armed wing' of this party, Iliso Lomzi. It seems that both were launched with MI assistance. MI subsequently printed and distributed pamphlets (including dropping them from aircraft) in support of these two groupings (Moodie 1975: 83).

In September 1986, Charles Sebe was sprung from the Ciskei's Middledrift maximum security prison by SADF members and/or ex-Selous Scouts operating from Transkei; from then on he operated from Transkei together with the rest of the Katzen group. The day Charles was released, Lennox Sebe's son Kwane Sebe, the head of the Ciskei Police Elite Unit and the man groomed as the successor to the president, was abducted and taken to Transkei (Moleah 1993: 70). Three months later, Kwane was sent back to Ciskei in a bantustan prisoner swap.

Attempts to extradite Charles Sebe back to Ciskei collapsed. The then Ciskei Attorney-General Jurie Jurgens applied for their extradition, subsequently finding that both these matters had quietly fizzled out in some political settlement (Moleah 1993: 72). This presumably involved some pressure from the South African authorities, which had previously campaigned for Charles Sebe's pardon. In January 1987, Van der Westhuizen left the Eastern Cape and took over as officer commanding the Witwatersrand Command. On 21 January, Holomisa, then second-in-command of the TDF, was detained; partly, it seems, because he opposed the Katzen planners. Weeks later, on 19 February, TDF troops crossed the Kei River border between Transkei and South Africa, and drove on to launch an abortive attack on Ciskei president Lennox Sebe's private palace in Bisho (Manganyi 1990: 69-76). It was reported that one TDF soldier died and another was captured; later South African authorities captured French mercenary Jean-Michel Desble.

The captured soldier, Rifleman A Ndulu, was held under guard in the Ciskei's main Cecilia Makiwane Hospital in Mdantsane, then eventually sent home to Ciskei in terms of a deal apparently engineered by Holomisa. Likewise, the body of the soldier, Mr. Mbuyiselo Templeton Nondela, was allowed home for burial. The Commission found evidence of another previously unreported death and direct SADF complicity in the raid. (Karis and Carter 1977: 64). A TDF soldier who was badly injured in the failed attack, Mr. David Simphiwe Makazi, was rushed down to East London by his fellow attackers. He was airlifted by the SADF from the East London race track and flown back to Butterworth. Apart from Van der Westhuizen and the officer he reported to on Katzen, General Kat Liebenberg, other senior officers and officials named in the Katzen file as having been involved at some stage included General Jannie Geldenhuys (head of SADF Special Forces), General Griebenauw (Border regional head of the security police), General Zondwa Mtirara (head of the TDF), Vice-Admiral Dries Putter, Colonel Reg Deyzel (the officer commanding of Group Eight in East London), a former Transkei minister of defence and Dr. Tertius Delport (then at the University of Port Elizabeth). Delport later denied any knowledge of the Katzen plans (Johns and Davis 1991: 132). In 1983-84, Delport had served as one of two assessors at the Ciskei trial after which Charles Sebe was jailed for twelve years.

The National Intelligence Service (NIS) also appears to have been involved in Katzen. One of the NIS staff was involved in at least some of the planning. An undated document headed "Top Secret", which appears to be the abbreviated notes of a meeting, lists those present as including an SADF general, an SADF brigadier, an SAP brigadier, three colonels, two commandants and an NIS representative. Another document refers to NIS involvement: "All political front actions (Lent Maqoma) will now be handled by NIS. We will continue to co-operate politically/militarily" (Johns and Davis 1991: 132). A "Top Secret" NIS document on Katzen, which appears to have been drafted during rather than after the operation, lists those involved in or aware of Katzen as including President PW Botha, SADF chief General Jannie Geldenhuys, army chief General Kat Liebenberg, the commissioner of police (then General Johan Coetzee), the secretariat of the State Security Council and the director general of NIS (Moleah 1993: 75).

The collapse of the Katzen Plan

On 1 April 1987 the Ciskei banned both the Ciskei People's Rights Protection Party and Iliso Lomzi (Manganyi 1990: 64-77). On 4 April, Transkei detained sixteen white military officers, mainly the ex-Selous Scouts. Soon after their departure, Holomisa took charge of the TDF, and Transkei support for Katzen was severely curtailed. Desble made a few token appearances in the East London courts before being officially deported back to France. In an interview in 1995, Attorney-General Jurgens said that his flight made an unscheduled stop before reaching France so that he could disembark and thus avoid prosecution as a mercenary in France.

A month or two later, former General Johan Coetzee, now retired as SAP commissioner, was appointed to run a tri-partite committee out of East London to keep the peace between the warring bantustans (Johns and Davis 1991: 134). The TDF convened a board of enquiry into the abortive attack on Ciskei in August 1987. Its work was concluded and handed to the Transkei minister of defence. The SANDF was unable to trace this report.

In 1989, the Harms Commission of Inquiry into the Jalc group of companies heard that Putter, who was the chief of MI at the time and party to the Katzen plan, had been warned about the impending attack by one of his staff. MI officer Brigadier Marthinus Deyzel, seconded to Jalc in terms of a proposal for MI to use Jalc for intelligence-gathering purposes in the bantustans and frontline states, told Harms that Lennox Sebe had told him he was aware of an impending attack on him by elements of the SADF (Price 1991:73). Deyzel, who seems to have been unaware of the Katzen plan, told his superiors. He subsequently complained to the Harms inquiry that his warning had been ignored. Putter told Harms he had taken Deyzel's warning extremely seriously and that he had written a memo for circulation among his superiors. The memo, dated 9 February 1987, stated (Lave 1994: 483-524):

> The Ciskei Government alleges that they have information that several RSA elements are involved in the destabilisation of the Ciskei. If this is correct, it would be advisable to put a stop to it … An investigation of the facts must be urgently undertaken and certain punishment procedures will have to be considered. At the same time that Katzen was running in the Eastern Cape, the SADF's Operation Marion was running in KwaZulu. The attack on Ciskei was carried out on 19 February; the KwaMakhutha attack carried out in terms of Marion, which killed thirteen people, was carried out just weeks earlier in January.

There are several links between Marion and Katzen. Both operations were co-ordinated at Defence Headquarters in Pretoria by Colonel John More, at the time part of the DST. More was mentioned in the Katzen documents as supplying weapons for that operation. Liebenberg and Geldenhuys, two of the accused in the KwaMakhutha trial, were also named in Katzen documentation. Lieutenant Colonel Jan Anton Nieuwoudt, who was involved in the 1986 Caprivi strip training of the men who carried out the KwaMakhutha attack, was subsequently (in the run-up to the 1994 elections) involved in an Eastern Cape operation which seems to have been a successor to Katzen (Breytenbach 1991: 83-91). Liebenberg was involved in 'officially' shutting that operation down after it was blown and Nieuwoudt moved and apparently continued the operation in a different form elsewhere. General Tienie Groenewald was another of the KwaMakhutha accused; during the 1990s he was involved in an organisation that was implicated in running guns to prop up Gqozo's government in its battle against the ANC.

As More was part of DST, this indicates that both Marion and Katzen were run by DST, a section also responsible for running covert support to pro-Pretoria rebels in Angola (UNITA) and Mozambique (RENAMO) (Lave 1994: 483-524). This indicates that the bantustans were also part of MI's strategy of supporting (and sometimes setting up) rebel groups that were involved in violent attempts to overthrow governments which were either antagonistic to or could not be controlled by Pretoria, or were involved in violent clashes with UDF-aligned (and later ANC-aligned) groupings. In the bantustans, this thus involved covert support for Inkatha in the KwaZulu-Natal region and, in the Eastern Cape, the setting up and funding of first the Ciskei People's Rights Protection Party and Iliso Lomzi and later the setting up and arming of the ADM (Breytenbach 1991: 83-94) . This policy does not appear to have ended with the failure of Marion and

Katzen in 1987 as several of the key officers involved in those two operations were again implicated in similar activities based in the Ciskei during Gqozo's rule and the run-up to the 1994 elections.

Although Katzen seems to have collapsed in early 1987, its legacy of violating civil liberties continued. Two years later, Lennox Sebe's Ciskei government still regarded Iliso Lomzi as a threat, as can been seen in a "Top Secret" CDF contingency plan for dealing with an attack expected by "elements of Iliso Lomzi supported by the TDF and ex-Rhodesians" around 24-25 July 1989 (SACS 1995: 39-47).

Security force and the guerrillas

Former SADF Special Forces commander General Joep Joubert told the Commission that, in the mid-1980s, he drew up a plan for the elimination and destruction of ANC activists, their allies and supporting structures. The then SADF chief General Jannie Geldenhuys had instructed him to draw up a plan to enable Special Forces to assist the SAP in countering the revolutionary onslaught. The proposal called for the use of both clandestine and counter-revolutionary methods against the liberation movements. "I did discuss the plan with General Geldenhuys (Hill and Harris 1989: 68). I was under the impression that it was approved. Operations were then launched in line with the plan," Joubert told the Commission's armed forces hearing. The Eastern Cape, along with Northern Transvaal and the Witwatersrand, were identified as the problem areas. Joubert's plan called for co-operation between Special Forces, the regional SADF commands and the regional heads of the security police. Joubert could not say when these operations ended; he said no order had been given to cease operations.

Apart from SADF raids on the front-line states during the 1980s, this plan appears to have involved the setting up of the 1986-87 Operations Katzen and Marion (see above): documentation in the Katzen file indicates that both Joubert and Geldenhuys were involved in Katzen, while Geldenhuys was one of the accused in the KwaMakhutha trial arising from Marion (SACS 1995: 39-47). The Border region head of security police, General Griebenauw, was also involved in the Katzen plan.

Joubert's plan also clearly involved assistance with the targeting of individual guerrillas who were then tracked down by police acting in conjunction with askaris, and assassinated. Police statistics for the time indicate that insurgency increased dramatically in 1985, from fifty-one incidents reported in 1981, thirty-nine in 1982, fifty-five in 1983 and forty-four in 1984 to a massive 136 incidents for 1985.

It is interesting to note that, according to information handed to the Commission by the ANC, 60 per cent of the 246 MK members who died in combat were killed during the four years from 1986 to 1989, the period when the Joubert plan was probably in operation. According to the ANC list, at least 17 per cent of the deaths during those four years were either in the Eastern Cape or were of guerrillas who had been operating in the Eastern Cape (Tutu 1994: 54). In the Eastern Cape the Joubert plan would have focused on guerrilla infiltration from Lesotho via Transkei and would thus have involved:

It is also likely that General Johan Coetzee, the recently retired commissioner of police, was involved. Coetzee was brought into the region and based in East London from about March 1987 until April 1989; his official brief was to run a tri-partite commission aimed at keeping the peace between Ciskei and Transkei, but this commission never operated and it seems his real reason for being there was to help run the clandestine security operations.

It is during this period that the security police set up an additional base in the Eastern Cape in support of Vlakplaas – based on a farm outside East London and apparently set up sometime during 1987 (Roux 1964: 120). It is highly likely that one of Coetzee's key tasks was to oversee the setting up of this base.

During the mid-1980s in Transkei, there was a marked increase in the number of incidents involving both sabotage by guerrillas and armed clashes between guerrillas and police. By 1988, a spate of security trials was underway or had recently been concluded. Most of these related to ANC activity and many were linked to each other, indicating the operation of a widespread guerrilla network across Transkei. The security force actions against this network indicate that Joubert's plan was indeed implemented in this region (Roux 1964: 120). The years 1987 and 1988 were particularly bad for guerrillas operating in Transkei, featuring several hit squad killings.

The fuel depot bombing suspects

On 25 June 1985, the Umtata fuel depot was blown up, together with the city's water pipelines and electricity sub-station. In what must surely have been one of the most spectacularly successful MK operations, the fuel depot burned all day, leaving panicked Umtata residents queuing for petrol, the city without electricity for several days, and the possibility of running out of water before the pipelines and electrical pumps could be restored.

On 24 September, student activist Bathandwa Ndondo, a University of Transkei student representative council member who had been expelled the year before, was picked up at his home in Cala near the South African border by a

unit involving SAP member Mbuso Enoch Shabalala, Transkei policeman Sergeant Gciniso Lamont Dandala and askaris Silulami Gladstone Mose and Xolelwa Virginia Shosha (SAIRR 1993: 93). He was shot dead. Within weeks, the then Transkei president Chief Kaiser Matanzima had announced publicly that Ndondo had been killed because he had been involved in the fuel depot bombings.

Guerrillas Masizizi Attwell "Pieces" Maqekeza, Zola Dubeni, Welile Salman, Sisa Ngombeni and Mzwandile Vena were sought by police in connection with the fuel depot bombing. On 21-2 January 1987, Maqekeza was one of two guerrillas who assisted guerrilla Mbulelo Ngono, aka "Khaya Kasibe" or "KK", to escape after a thirty-six-hour shoot-out between Ngono and the combined forces of the TPF, TDF and SAP. Maqekeza and Ngono, together with Mr. Thandwefika Radebe, were attacked by unknown gunmen in Lesotho weeks later (SAIRR 1995: 53). Radebe was killed, Ngono fled and subsequently disappeared, while Maqekeza was killed by unknown gunmen on 15 March 1987 while recovering under police guard in the Maseru hospital from the first attack.

During 1988, Maqekeza was mentioned in at least five security trials in Transkei in cases in which others were charged with assisting him. Also in March 1987, Dubeni was shot dead by police in Cape Town, allegedly after trying to attack them after pointing out his arms cache (USIP 1993: 24). Ngono disappeared later in 1988 when he was abducted by South African security police from Lesotho to work as an askari; he has never returned home and his fate is unknown (the Commission received amnesty applications in connection with this abduction).

In October 1990, Salman died in Mafikeng in a shoot-out with security force members. Vena, one of the only guerrillas linked by police to the fuel depot bombing to survive, was arrested in Cape Town in 1988; he subsequently unsuccessfully fought against his extradition to Transkei where he was later released after the 1990 unbannings. Those who had offered assistance to guerrillas such as Maqekeza, Dubeni and Vena were subsequently arrested and tortured. They included Mr. Zakade Alfred Buka and Mr. Dugard Maqekeza (USIP 1993: 26).

About twenty eventually ended up in court in various cases. The main case was thrown out of court after months of postponements; police scrambled to re-capture some of their detainees as they leapt over the dock and ran for the courtroom doors as soon as the magistrate made the ruling. Few of the guerrillas made it as far as a courtroom; Vena seems to be a notable exception here. Generally those who got to court were those who were charged with assisting guerrillas (SACS 1994: 34-41). Key Eastern Cape people were also targeted by other regional police forces during this period. For example, on 25 April 1987 Mr Phindile Mfeti (40) disappeared in Durban. The Commission subsequently found that Mfeti, a unionist who had been banished to Transkei, had been abducted, murdered and secretly buried by the Natal SAP.

In August 1987, police tried to kill guerrilla Stembele Zokwe outside Umtata; he survived and managed to get to hospital. A second attack followed, but apparently the presence of witnesses frightened off the attackers (Juckes 1995: 110). On 12 January 1988, Zokwe's luck ran out and he was shot dead by police hours after being arrested in Butterworth. Rumours at the time were that he was an askari who had outlived his usefulness or changed his mind about assisting the police: ANC sources at the time questioned how Zokwe had managed to avoid being charged and was instead freed after he had been arrested in Bophuthatswana on his return to the country with another guerrilla, Mr. Gilbert Binda, who was jailed for seven years (Juckes 1995: 112). Two Transkei police officers, Sergeant Mtobeli Tyani and Sergeant Pumelele Gumengu, were charged with his murder, but both escaped from different jails on the same day and disappeared.

The failed abduction

The suppression of political opposition and the violation of civil liberties also manifested itself through abductions. In December 1987 advocate Joseph Mzwakhe Miso was snatched from the streets of Umtata, having been mistaken for lawyer Dumisa Ntsebeza, and driven out of town towards the Kei Bridge border with South Africa by white men who claimed to be South African policemen. They beat him badly and threatened to kill him, releasing him only after he was able to prove his identity. Only days before this attack, Ntsebeza had been in Queenstown for a case and had been threatened by Major Venter of the Queenstown security police in the presence of Border region security chief Brigadier Griebenauw. Ntsebeza's brother (HRW/A 1994: 75), Ndondo, had been killed two years earlier by a hit squad and Ntsebeza's attempts to get a prosecution underway had repeatedly been thwarted by the authorities.

The Vlakplaas askaris were clearly operating in the Eastern Cape and in the then independent Transkei during the early 1980s. The Terrorism Research Centre incident lists record that on 7 August 1981 there was shoot-out between the police and the ANC cadres in Butterworth following a bomb blast in East London the day before; two Transkei policemen died. Later the same day two SAP members were seriously injured in a clash with the same guerrillas at a roadblock near Elliot on the main road to Lesotho; "Two ANC gunmen killed, one captured," noted the Terrorism Research Centre. Five days later the organisation recorded "Two ANC gunmen fatally wounded, one policeman seriously wounded, in shootout

with police on farm near Aliwal North; the two ANC men were the last two of the group involved in the bomb incident at East London on 6 August, and the Butterworth and Elliot shootings on 7 August" (TRC 1994: 74).

There is some confusion about the number of guerrillas involved in these incidents and their fate: the Commission dug up the remains of four guerrillas secretly buried by police on an Aliwal North farm after this incident, thus accounting for the two killed on 7 August and the two killed on 13 August. They were Mr. Anthony Sureboy Dali, Mr. Thabo Makhubo, Mr. Joseph Lesetja Sexwale and one 'Senzangakhona' (Goodwin and Schiff 1995: 43-56). However, it is not clear what happened to the guerrilla reported as having been arrested on 7 August: was he one of the two shot dead five days later? He may have been MK member Gwaza Twalo, whose family told the Commission he disappeared from the Pretoria prison following a clash with police in the Aliwal North/Herschel area some time after 1980; another witness told the Commission that the SAP had told the International Committee of the Red Cross that Twalo had been detained in Aliwal North and released in May 1980 without charges (surprising considering that he had fled the country together with the Azanian People's Liberation Army's (APLA) Sabelo Phama and had undergone ANC training in Angola). Depending on the date of disappearance, Twalo may have been the guerrilla arrested on 7 August; alternatively he may have been arrested in an earlier incident and killed in a similar way to the latter four (Goodwin and Schiff 1995: 43-56).

By late 1981, the Vlakplaas unit had been sent down to the Eastern Cape for a stint of several weeks, as reported by Dirk Coetzee. He reports that the C1 unit moved down to the Eastern Cape following a clash between police and guerrillas at Elliot and Barkly Pass in August 1981 (presumably the clash which resulted in the guerrillas being buried on the Aliwal North farm) and worked there for seven to eight weeks. The early killings related to the fuel depot blasts described above may have involved the askaris who were permanently based at Vlakplaas; the Ndondo killing in 1985 seems to have been orchestrated from there (Goodwin and Schiff 1995: 43-56). By the time Ngono was abducted the Ladybrand police were involved. By the time of the Sangoni, Mayaphi and Mgibe killings in February 1988, the askari unit was operating out of East London. 1987 and 1988 seem to have been the key years for the killing of guerrillas, primarily by locally based police.

There were various incidents of guerrillas dying in clashes during 1985-86; it is not clear how many of these were deliberately orchestrated by the security forces and how many were isolated incidents. They include: six PAC members killed in a clash with Lesotho security forces at Qacha's Nek near the Lesotho/Transkei border (one of the six was Mr. Thami Zani from King William's Town, a friend of Steve Biko); Mr. Zolani Mvula, who died during an explosion in a car while travelling between Engcobo and Umtata together with brothers Mlungisi and Bongani Booi; the death of an unknown guerrilla in Sterkspruit on 13 April 1986 following two clashes with police; in May 1986 an unnamed guerrilla was reported by the press to have been shot dead at a roadblock in Transkei; in July 1986 there was a clash between police and guerrillas at Mount Fletcher (Johns and Davis 1991: 133).

Transkei and [sentence?] an explosives cache were found; also in July 1986 former SAAWU member turned ANC guerrilla Mathemba Vuso was shot dead by Ciskei police in Mdantsane. In December 1986 alleged guerrilla Ngwenduna Vanda was shot dead by Transkei police constables Ishmael Commando Dzai and Nelson Nceba Solombela while crossing from Lesotho in Transkei near Telle Bridge border post; an inquest later found they did not have the right to shoot him, but no prosecution ensued. In July 1987, another former SAAWU unionist, Mr. Eric Mntonga, died in detention at the hands of the Ciskei police. In March or April 1987 General Johan Coetzee moved into the region. The official reason for bringing the general out of retirement was to co-ordinate a tri-partite commission involving South Africa (Manganyi 1990: 68-79), Transkei and Ciskei, to keep peace between the two warring bantustans. Ironically, the immediate need for the commission had been sparked by the failed TDF attack on Ciskei president Lennox Sebe's palace in January 1987; this was later revealed to have been planned by the SADF as part of Operation Katzen.

At the same time, national politicians publicly warned of the possibility of illegal security force actions against guerrillas. On 28 March 1987, then minister of defence Magnus Malan warned that the South African security forces would "sniff out" any ANC guerrillas in neighbouring states and wipe them out. Ten days later on 8 April, then minister of foreign affairs Pik Botha claimed ANC "terrorists" were planning to disrupt the upcoming elections and warned neighbouring states that South Africa would take "whatever action" necessary to stop them (Price 1991:74). It was during March and April that Maqekeza was killed in Lesotho, and Dubeni and Mfeti were killed in South Africa. Not much is known about Coetzee's tri-partite commission; its role was still unclear by the time it closed down two years later. It held very few meetings, Coetzee was unwilling to be interviewed by journalists and no public report was ever issued by it.

About four months after it was set up, the Commission announced its first meeting. This meeting established a security agreement signed by SA, Ciskei and Transkei in Cape Town on April 10 by PW Botha, Lennox Sebe and George Matanzima. After the meeting, Coetzee said the group was likely to meet again soon and regularly. A statement issued by the director of co-operation between the TBVC states and South Africa at the Bureau for Information, Mr. CM van Niekerk, said that the functions of the commission would be "to promote good neighbourliness, peace, security, justice

and economic progress in the Eastern Cape region by investigating, monitoring and making recommendations to the two governments about all matters which may adversely affect relations between the three states" (Price 1991:77). In October, Coetzee told the Eastern Province Herald that he could not discuss the commission's work unless the other two members, Ciskei director general of manpower MC Kashe and Transkei's chief of civil defence General JS Mantutle, were present.

During the period of the commission's existence, Coetzee was consistently unavailable for interviews, and at one point both bantustan governments said that they did not really know what the commission was doing. There was frequent tension between Transkei and Ciskei during this time, but the three-person commission rarely met. In January 1989, during yet another spat between the two bantustans, Ciskei spokesman Headman Somtunzi said he did not think the commission existed anymore, while South African Foreign Affairs spokesman Roland Darrell said that he thought it still existed but he "was not aware of anything that it's done recently". Darrell later said it was "overshadowed" by other initiatives, but confirmed that Coetzee was still involved (Greenstein 1994: 641-61). Other South African officials were reluctant to comment or gave confusing replies. By April 1989, the mysterious commission had closed down, although this was only reported in January the following year; a Department of Foreign Affairs spokesman said at the time that the closure had been reported to a local newspaper, but the newspaper could find no record of this. When asked to comment on the possibility that the commission had been an excuse for Coetzee to be in the region to run security operations, Mr. Mark Phillips of the Wits University Centre for Policy Studies said that Coetzee was a proponent of the view that targeting and removing key activists was a better way of dealing with opposition than the state of emergency.

A complication for these covert police operations was the coup in Transkei by Major General Bantu Holomisa, who took over briefly first in September 1987 and then permanently in December 1987. During 1988 the SAP and their askaris were still operating in Umtata, but apparently without the support of the military government, which seems to have been a little confused over how to stop them; by early 1988 there were rumours in Umtata of a clandestine SAP base operating from a house near the Umtata golf course (Greenstein 1994: 641-61). It seems that part of the need for the clandestine co-operation between SAP and TPF was not just in order to keep it out of the public eye, but more importantly to keep it out of Holomisa's eye.

Illegal handovers went hand in hand with the crackdown on guerrillas; during 1988-89 this appears to have been a source of some conflict between the then ruling TDF and the more conservative TPF. In 1987 ANC guerrilla Livingstone Matutu was arrested in Bophuthatswana, handed over to South African security police and then illegally handed over to Transkei authorities. During 1988, he appeared on trial in Transkei, in a case that his lawyers claimed the authorities tried to keep from their knowledge (Greenstein 1994: 641-62). In December 1988, Transkei commissioner of police General Leonard Kawe said that Transkei and South African forces needed to co-operate in order to carry out their work. Kawe was speaking in response to criticism from South African judge PB Hodes, who criticised the South African police for knowingly and illegally allowing the Transkei police to cross the border to deliver a suspect. By the end of 1988, the Transkei police seemed to be increasing their power in the bantustan, with the military rulers apparently unable to curb them (Lave 1994: 483-524). By early 1990 the military government felt confident enough to take on its own police force in public: Holomisa warned his police that any activities involving their co-operation with the SAP had to be cleared with their seniors first. Holomisa said that earlier in the week members of the SAP had searched vehicles "deep inside Transkei territory" and that the SA embassy in Umtata had said this was done with the co-operation of a Transkei police officer, but that this had still to be verified.

During this period, the police also tried to recruit askaris among guerrillas who had survived to be jailed. Mr Stembele Zokwe (see below) was probably one of these; he was later shot dead in 1988 (Lave 1994: 483-524). During 1989, East London security policeman Captain Charles van Wyk told a Transkei court he had tried to recruit accused Phumzile Mayaphi (later sentenced to death for the Wild Coast Sun bombing) as a police spy. One strategy used by the SAP to protect their members from prosecution relating to illegal killings was that of changing their names. When Transkei's Attorney-General tried to charge the police in connection with the Ndondo killing of September 1987, he was told by the SAP that SAP member Mbuso Enoch Shabalala was dead; it later emerged that he was very much alive and had officially changed his name (SAIRRs 1994: 97). Mr Bongani Wana, implicated first in the Sangoni *et al.* killings of February 1988 and later along with SADF MI in the abortive Duli coup attempt of November 1990, is now known as Charles Wanase; his new identity document was issued in July 1991 and he was serving as a member of the SANDF after the elections.

Mr. Pumelele Gumengu, a sergeant in the Transkei security police, was arrested on charges of killing MK guerrilla Stembele Zokwe in Butterworth shortly after his arrest on 12 January 1988. Gumengu, who escaped from custody on the same day as his co-accused, Sergeant Aaron Tyani, although they were held in different prisons, was later arrested by the Transkei government in connection with the abortive November 1990 coup attempt led by Colonel Craig Duli and

supported by SADF MI. Gumengu was arrested carrying a passport in the name of Zama Dube: his lawyer told the Umtata Supreme Court that this was in fact Gumengu's real name (HRW/A 1994: 78).

Sergeant Tyani, who escaped custody while facing charges in connection with the January 1988 Zokwe murder, is also understood to have changed his name. In a similar strategy, Vulindlela Mbotoli gained South African citizenship (as opposed to Transkei citizenship) in mid-1991 in an attempt to avoid extradition to Transkei on charges relating to the Duli coup attempt (Ottaway 1993: 121). He was ultimately abducted by the TDF MI from Johannesburg, put on trial and jailed. Similarly in KwaZulu, former KZP special constable Vela Mchunu was issued with a KZP appointment certificate in the name of Alfred Masango in March 1991 to help him evade prosecution (see KwaZulu section below).

There were some revenge attacks on the police, clearly carried out by MK members. In 1990 Madliwa, the co-ordinator of the askari unit in East London and the man in charge of the February 1988 attack on Sangoni *et al.*, was gunned down outside Mdantsane's Cecilia Makiwane Hospital. In February 1994, Ms. Xolelwa Vusani (31, aka Noxolo or Dudu or Fetsha), was shot dead in Mdantsane; her baby who she was holding at the time was injured in the shooting (Greenstein 1994: 641-61). Vusani had been involved in the September 1985 killing of Ndondo in Cala. Clashes between police and guerrillas, which guerrillas frequently did not survive, continued during 1988, especially in Transkei. Transkei police, sometimes working together with the SAP, were involved in these incidents.

Two guerrillas who were eventually charged in a court were Mr. Ndibulele Ndzamela and Mr. Phumzile Mayaphi, who were sentenced to death for bombing the Wild Coast Sun on 18 April 1986 (both were eventually freed after the 1990 unbannings and later implicated in the hit squad killing of an ANC dissident in Transkei). While they were on trial during February 1988, Mayaphi's brother Zonwabele stopped in at the Umtata Supreme Court to attend the trial. After he left the court buildings with his friends Zolile Sangoni, Thozamile Nkume and MK member Thembisile "Gift" Mgibe, they were followed by a police hit squad, pulled over and gunned down; only Nkume, who seemed to have coincidentally hitched a lift with the group, survived (Greenstein 1994: 641-61). The killers were SAP member Sergeant Mpumelelo Madliwa from East London, TPF member Constable Bongani Wana from Umtata and three askaris; they later told an inquest they had been armed with irregular weapons, used false vehicle registration numbers and had fired because they thought the guerrilla was going to attack them (HRW/A 1994: 75). They justified the killing to the inquest by explaining that Mgibe was a guerrilla; Mayaphi and Sangoni appear to have been targeted because of their connections to the terrorism trial and a prominent firm of human rights lawyers respectively.

In January 1988, clashes between police and guerrillas continued in Transkei with few guerrillas surviving. On 25 January, there was a shoot-out near Ugie; the following day two guerrillas (Mr. Siphiwo Hamlet Mazwai and one "Bobo") died in a clash with police while four others were detained (Horrell 1978: 55). Mazwai's family later claimed that police had not even informed them of Siphiwo's death. Both the SAP and SADF monitored his Grahamstown funeral and the area was declared an operational zone for the duration. On 8 March 1988, MK member Qondo Hoho and his uncle Acacia Hoho were killed and six policemen injured in a shootout after the SAP surrounded a house in Mlungisi near Queenstown. The house was afterwards bulldozed by police, a technique often used by police when dealing with guerrillas. On 2 July 88, a clash between police and guerrillas in Mzamba, Transkei, resulted in one guerrilla being captured and another two escaping (Horrell 1978: 57). About a week later, in an incident probably linked to this, another clash followed; guerrilla Leo Mkuseli Xatula was killed. Evidence had it that Xatula was detained, held for some days and then executed. On 28 September 1988, MK member Lungisa Christian Qokweni died after a shoot-out with Ciskei police at a house in NU5 in Mdantsane. Ciskei denied that the SAP had also been involved in the shoot-out.

In October 1988, Transkei and South African police working together arrested guerrilla Aga Khan Tiya in Umtata. An arms cache was reportedly found at the same time. Two weeks after the arrest, Tiya appeared in the intensive care ward of the Umtata hospital, his throat having been cut while in custody (Lave 1994: 483-524). He was released and subsequently died under unexplained circumstances, presumably having been assassinated. On 25 December 1988 in Mdantsane, Ciskei, an unknown gunman attacked civil rights lawyer Hintsa Siwisa, unionists Jeff Wabena and Billy Shiyani and their friends Noluthando Ntongana, Norie Joli and Virginia Panziso, leaving Joli and Panziso dead (Greenstein 1994: 641-61). Later rumours were that this was part of an internal ANC clash between opposing youth movements and that embezzlement of union funds may have been involved; however there is a strong possibility that this may also have been the work of the covert police unit.

While the coup attempt by Charles Sebe in Ciskei was probably at least supported by the SADF and the 1987 attack on Lennox Sebe was part of the SADF's Operation Katzen, there were a few rumblings which appear to have been independent actions. In January 1987, Bantu Holomisa was in detention in a Transkei jail, apparently partly for opposing Transkei involvement in Operation Katzen and partly for refusing to send in the TDF against an MK guerrilla involved in a shootout at Willowvale. A few months later he was out of detention, the former Selous Scouts were on the road out of Transkei and Holomisa was head of the TDF (SACS 1995: 39-47). At this point, the SADF appeared to have lost control

over the TDF. In September, Holomisa took over the Transkei government; shortly afterwards he handed over to the civilian government of Stella Sigcau. On 31 December 1987 Holomisa deposed Sigcau's government, citing corruption, and took control to run Transkei until the 1994 elections.

During his first coup, Holomisa waited until Prime Minister George Matanzima was "out of the country" in Port Elizabeth; President Tutor Ndamase was allowed to continue undisturbed and later appeared on publicity posters alongside military council members (SACS 1995: 59-64). A legal challenge to Holomisa's government brought later by former president Kaiser Matanzima was subsequently overturned when the Transkei Supreme Court ruled that Holomisa's government was the *de facto* Transkei government. The Holomisa coups had a crucial effect on the security forces' policy on the Eastern Cape: when the South African security forces finally realised that Holomisa would tolerate opposition and, after the 1990 unbannings, allow the liberation movements to organise freely, they changed tactics from prioritising attacking those regarded as members of liberation movements to attacking the Transkei government instead. Thus by the 1990s a spate of coup attempts were launched by the South African security forces to try to unseat Holomisa; to no avail.

Conclusion

It could thus be concluded that the suppression of political opposition in the erstwhile Ciskei and Transkei Bantustans during the era in question was unprecedented. The Pondoland Revolt was marked by numerous incidents of violence, a state of emergency, widespread detentions, criminal prosecutions and banishment of families. The use of vigilantes in Ciskei fostered inter-bantustan conflict through Operation Katzen in what was part of a national bantustans military strategy. Vigilantes operating under the supervision of police were brought in to man roadblocks, assault commuters, break boycotts by assaulting commuters in taxis, on trains and in private cars. The Ciskei policy to subdue dissent entailed brutalisation of communities. Operation Katzen, used as a bulwark against the rising tide of popular resistance, left untold stories of violating civil liberties in these bantustans. The security forces countered the revolutionary onslaught in the most brutal manner. The abductions of freedom fighters led to various incidents of deaths at the hands of the security forces. The violation of civil liberties in Ciskei and Transkei was such that by the end of the 1980s these bantustan armies embarked on insurrection.

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Effect of leadership styles on successful implementation of a performance management system

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Although a well implemented performance management system (PMS) can have immense benefits, it has been reduced in many organisations to a mechanical, end of the year requirement for information. Consequently, in many organisations, PMSs are viewed with much trepidation and scepticism. It is therefore germane to understand factors that could cause PMS to be embraced and accepted by individuals in organisations. Effective leadership in the organisation could be critical in the successful implementation of performance management. However, empirical investigation of this relationship is lacking. The objectives of this study were: (1) To assess the effect of transactional and transformational leadership on the adoption of a performance management framework and (2) To assess the perceptions of various demographic groups in an organisation on the effects of leadership style on the implementation of a performance management system. The study was undertaken at Moi Teaching and Referral Hospital (MTRH), Kenya. An explanatory descriptive design was used. The target population for the study comprised all the 2,040 members of staff at the hospital. A stratified random sampling was used to select the 510 respondents. The study found that leadership style (transactional and transformational leadership) has a strong and positive influence on the implementation of performance management framework ($B=0.677$, $SE = 0.027$, $p<0.0001$; $R^2 =0.72$). Support for the relationship between leadership and PMS was found to be stronger amongst males, less educated and older employees. The study recommends that organisations should adopt more strategic leadership style if they are to successfully deliver the contiguous stages required in PMS.

Keywords: Transactional Leadership, Transformational Leadership, performance management system

Introduction

Leadership and performance management are some of the most frequently researched concepts in human resource management (HRM) (Caruth and Humpreys 2008). Although leadership is a frequently used term, there is no unified agreement as to its meaning, with Yukl (2006) stating that there seems to be one definition of leadership for every author. Leadership may be conceptualized as a process whereby an individual influences a group of individuals to achieve a common goal (Northouse 2007; Chemers 1997). Performance management, a critical yet controversial aspect of HRM, emerged in the late 20th Century as an offshoot of the even more controversial performance appraisal. Performance appraisal is the systematic evaluation of employee performance during a period of time (Toppo and Prusty 2012). Performance appraisals have been criticised for being one-off annual rituals, whose ratings are based on "central tendency" (proclivity to give employees middle rating points), "halo effects" and "horns effects" (overate or underrate because of single or narrow competencies, respectively), and "recency effects" (rate based only on recent events) (Prowse and Prowse 2009; Nayab and Richter 2011). The provenance of performance management were attempts to improve employee appraisal to become an ongoing process, provide feedback and coaching to improve performance. Thus, performance management has been defined as a continuous process of identifying, measuring, managing, and developing performance in organisations by linking each individual's performance and objectives to the organisation's overall mission and goals (Aguinis 2005).

A well implemented performance management system (PMS) can have immense benefits to an organisation. Employee motivation and self-esteem increases, managers gain insight about subordinates, job definitions and criteria are clarified, organisations goals become clearer and employees become more competent, all leading to improved performance in the organisation (Toppo and Prusty 2012; Aguinis 2005). A poorly executed PMS, on the other hand, may cause employees to quit, false information may be used, self-esteem may be lowered, time and money wasted, and employees could suffer from job dissatisfaction, leading to poor performance (Brutus and Derayeh 2002).

Effective leadership such as transactional and transformation leadership in the organisation could be critical in the successful implementation of performance management. The PMS cycle may conveniently be broken down into three contiguous steps: preparation, execution and reviewing (Hersey and Chevalier 2000). Preparation involves identifying goals, reviewing plans, focusing on key activities, and developing an appropriate game plan. During execution, performance of employees is observed and recorded, feedback is provided and goals and activities might need to be

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adjusted. Reviewing requires asking for inputs, reviewing records, analysing performance activities and providing feedback in a counselling session that closes out the period and begins the next (Hersey and Chevalier 2000). Leadership in the organisation could be germane to the successful implementation of each of these steps (Behn 2014). However, there is a paucity of studies that have investigated the role of transactional and transformational leadership in the implementation of PMS in organisations in Kenya. The objectives of this study were:

1. To assess the impact of leadership style (transactional and transformational leadership) on the adoption of a performance management framework
2. To assess the perceptions of various demographic groups in an organisation on the effects of leadership style on the implementation of a performance management system.

The study hypothesised that:

> H_{O1}: There is no significant effect of leadership style (transactional and transformational leadership) on the adoption of a performance management framework.

Literature review

The main purpose of PMS is two-fold: developmental and summative. Developmental approaches seek to enhance employee performance by identifying opportunities for individual growth and ways in which organisations can help achieve them. Summative approaches aim to judge the performance of an individual in an organisation (Toppo and Prusty 2012; Moussavi and Ashbaugh 1995). Unfortunately, a large corpus of research indicates that many employees are largely dissatisfied with, and reject, performance appraisals as practised in their organisations (Manoharan *et al*. 2009; Bernardin *et al*. 1998).

Bowman (1999) concluded that the technique used in the appraisal process is not particularly important. Instead, he emphasised the human nature of the appraisal process, as one involving human cognitive processes and one that could, therefore, be subject to bias. Research and theory suggest that leadership, through its control of communication channels and work conditions, plays a crucial role in building organizational culture and trust, and could be therefore be critical in the success of PMS. Gabris and Ihrke (2000) concluded that leadership credibility is a pertinent factor in the implementation of new performance appraisal systems. According to Fairholm (1994), leadership creates trust between employees and supervisors as it can listen, be caring and facilitate open communication. Participation, two-way communication, and goal setting (key ingredients in leadership) have been found to be significant in predicting attitudes towards performance appraisal (Roberts and Pavlak 1996). Employees in superior leader-subordinate relationships (those characterised by more attention from supervisors, congenial communication, mutual liking, and positive interactions) are likely to be satisfied with the appraisal process and become more motivated to improve. They also tend to perceive the appraisal process as being accurate and useable to an organisation (Elicker *et al*. 2006; Levy and Williams 2004; DeNisi and Pritchard 2006). Sinnadurai and Fong (2015), in a survey of the healthcare industry in Malaysia, suggested that proper leadership (exemplified by disturbance handling, entrepreneurship, monitoring, liaising, managing and negotiating) is pertinent in the successful implementation of performance management and appraisals. The foregoing discussion suggests that leadership could be important during the implementation of PMS.

The role of leadership has also been found to be relevant in employee willingness to voice ideas aimed at improving the organization and the way it functions (Detert and Burris 2007). Examples of leadership style which are current are transformational and transactional leadership. Recent research on leadership as carried out by Vaccaro *et al.* (2010), titled 'Management Innovation and Leadership', concluded that transformational leadership is conducive to pursuing management innovative and transactional leadership do contribute to lowering potential barriers associated with management innovative. Transformational leadership is aimed at the followers' identification with its purpose and common goals. It stimulates employees to attain organizational goals by appealing to high-level needs for self-actualization (Bass 1985; Burns 1978; Lindebaum and Cartwright 2010). Transformational leadership consists of four dimensions: (1) idealized influence; (2) inspirational motivation; (3) intellectual stimulation; and (4) individual consideration (Avolio *et al*. 1999). Idealized influence represents the degree to which leaders are admired, respected, and trusted. This dimension includes charismatic behaviour that causes followers to identify with the leader and fosters a sense of intrinsic motivation to achieve goals. Inspirational motivation provides meaning and challenge to their followers, fostering team spirit and encouraging them to envision attractive future states. Intellectual stimulation prompts followers to question assumptions and be creative. Transformational leaders ensure that creativity and innovation is part of the problem solving processes. Individualized consideration includes the extent to which followers' potential is developed by attending to their individual needs, as well as creating learning opportunities and a supportive environment for growth (Bass *et al*. 2003).

Through intellectual stimulation, transformational leaders encourage followers to question the effectiveness of the organization's current management practices (Sosik 1997). Transformational leaders show high expectations and

confidence in followers' ability to deliver progressive solutions rather than merely appropriate ones (Bass 1994; Jung *et al*. 2003), strengthening the stimuli for innovative thinking in the way work is approached or structures set up. In this sense, intellectual stimulation challenges current work practices and encourages followers to consider different angles as they perform their jobs (Hunt 1991). In so doing, it also serves the purpose of challenging followers by, for instance, assigning them to the tasks they are best suited for according to their skills, and encourages followers to look for creative solutions (Amabile 1998). By means of individualized consideration, transformational leaders are expected to display appreciation for each of the followers and their ideas (Sosik 1997). Individualized consideration also fosters attention and distributed participation in changing management practices and processes (Bass 1994) by letting followers know that their work matters and is valued by organizational leaders (Amabile 1998). Hence, we argue that transformational leadership contributes to the advancement of novel managerial processes, practices, or organizational structures.

Transactional leaders engage in a transaction in order to satisfy their respective wants (Burns 1978), and provide extrinsic motivation to their subordinates. Transactional leaders are primarily concerned with gaining compliance from subordinates – which they will do by targeting their self interest – by agreeing upon the conditions and rewards that will follow the fulfilment of certain requirements (Bass 1990; Bass and Avolio 1993; Yammarino and Bass 1990). The role of transactional leaders has also been argued to be closely related to the reinforcement and refinement of institutionalized learning (Vera and Crossan 2004), which suggests that this type of leadership behaviour may be conducive to the pursuit of management innovation as it may contribute to reducing organizational complexity (Damanpour 1996) and ambiguity through setting clear goals and rewards that underpin underlying changes in processes, practices, or structures.

Transactional leadership consists of two dimensions: contingent reward and active management by exception (Den Hartog *et al*. 1997). Contingent reward entails the clarification and specification of what is expected of organizational members and the assessment of goals and subsequent reward for its accomplishment. Through contingent reward, leaders build commitment to the fulfilment of 'contracts' with followers (Avolio *et al*. 1999; Bass and Avolio 1993). While the establishment of such contracts has been argued to hamper creativity and result in less initiatives to address new ways of facing work (Amabile, 1996, 1998), we maintain that the impact of contingent reward on management innovation can be positive (Elenkov and Manev 2005). This may be the case through, for instance, an increased sense of fairness and justice in the workplace in which unmet standards and objectives do not go unnoticed, while success is dutifully rewarded (Podsakoff *et al*. 2006; Walumbwa *et al*. 2008). Furthermore, active management by exception, on the other hand, involves the leader's active involvement and intervention to monitor and rectify any divergence from an agreed standard in the follower's work. Such involvement underscores the way in which change agents, for example leaders, can drive the process of management innovation within the organization.

Materials and methods

An explanatory design was used wherein an in depth investigation of MTRH in form of case study was undertaken (Oso & Onen 2008). A descriptive analysis was also applied so that views from different departments and subjects could be compared. The target population for the study was all the 2,040 members of staff at the hospital who are involved in a performance management framework. The staff were categorised into three groups: those in management, staff in the middle cadre and those in the lower cadre. This study collected data from 510 staff members of the hospital, according to the formula and correction for sampling from small population outlined in Mugenda and Mugenda (2003) and Montgomery (1977). Stratified random sampling was used to select the 510 respondents. To ensure a proportionate representation of all the staff categories in the study, the sample contributed by each category was weighted according to the category's target population. A sampling frame of all the staff in the hospital was obtained from HRM and used to select the respondents for the study using simple random sampling, which was accomplished with the help of a table of random numbers.

Field study was conducted between the months of May and June of 2011. Data was collected using structured questionnaires, administered by the researcher and three trained enumerators. The exogenous and endogenous variables in the study were leadership style and performance management, each measured by 15 and eight Likert scale questions, respectively. The responses to the questions ranged from 1 (strongly disagree) to 5 (strongly agree). Validity and reliability of the questionnaire were tested during piloting, which involved the administration of the research instrument to 100 employees of Kenya Commercial Bank, Eldoret Branch. Content validity of the instrument was determined by checking the responses of the subjects against the research objectives. Reliability was tested by computing Cronbach Alpha values, with items having values equal to or above 0.7 considered reliable. Where the value was less than 0 .7, the items were revised. Descriptive statistics, for instance, frequencies and means were used to describe, summarize, and organize the data.

The independent and dependent variables in the study were measured by several observed (manifest or indicator) variables. Factor analyses (FA) using Principal Components Analysis (PCA) were therefore conducted to reduce the large set of measured variables into a few composite variables that could retain as much information from the original variables as possible. Rotation was conducted to improve the interpretability of the factors. Both an oblique method, Promax and an orthogonal procedure, Varimax rotations were used and the one which gave the best component structure was adopted. A Cronbach alpha value was calculated for every component derived from FA to judge its reliability. The two objectives in the study were both analysed using structural equation modelling-path analysis (SEMPATH), implemented using the Analysis of Moment Structures (AMOS). All statistical tests were two-tailed. Significant levels were measured at 95% confidence level with significant differences recorded at $p<0.05$.

Results and discussion

In this section, the study presents the results from interpreted and analyzed data. The interpretation is done based on the objectives and hypotheses that guide the study.

Sample characteristics

Out of 510 questionnaires administered to the staff of Moi Teaching and Referral Hospital, 505 (99%) were returned. Gender distribution (Table 1) showed that there were more female respondents (n-267, 52.9%) as there were male (n=238, 47.1%), possibly because of more females who are nurses (the predominant department at the hospital.

Table 1 Respondents' characteristics

Bio-graphic information	Categories	Frequency	Percent
Gender	Male	238	47.1
	Female	267	52.9
	Total	505	100.0
Respondent's age (years)	20 – 24	25	5
	25 – 29	92	18.2
	30 – 34	121	24
	35 – 39	141	27.9
	40 – 45	74	14.7
	46 – 49	49	9.7
	50 or above	3	0.6
	Total	505	100.0
Highest education /professional qualification	Primary certificate	7	1.4
	Secondary certificate	63	12.5
	College certificate	217	43
	University graduate	203	40.2
	University postgraduate	15	3
	Total	505	100.0

Source: Survey Data (2011)

The majority of the staff are aged between 25 years and 39 years who contributed 70.1% of the population. Those aged between 35 and 39 years had the highest frequency (n=141, 27.9%), followed by year range of 30 to 34 (n=21, 24%), then 25 years to 29 years of (n=91, 18.2%). Those above 50 years of age were the fewest, with a response score of less than 1% (n=3, 0.6%). The results give an indication of a youthful institution. Most of the staff are holders of either a college certificate or university degree, which in total makes up 83.2% of the respondents, indicating a reasonably educated staff. A small number of staff are holders of secondary certificates (n=63, 12.5%) or primary certificates (7=7, 1.4%) and also university post-graduate degrees (n=15, 3%).

4.2 Implementation of performance management

The basic tenet of performance management is that, when people know and understand what is expected of them, and have taken part in forming these expectations, they will use their best endeavours to reach their "end". Various questions were asked to assess the depth to which the respondent agree or disagree with the implementation of performance management at MTRH. Table 2 gives an outline on how the statement of implementation of performance management was scored. Table 2 indicates that most of the respondents agreed that they felt good when they accomplished their targets (79.8%), followed by the assertions that the organisation operates performance management systems (79.2%), set goals at beginning of the year (76.3%) and that they understand the aims of performance management (74.5%).

However, fewer respondents agreed that they are paid a bonus when they achieve or exceed their targets (49.9%) and that it took only a short time to implement performance management (44%). The most important criterion for measuring the implementation of performance management appears to be customer care, followed by quality, productivity, and competence. The least important appears to be aligning personal objectives with organisational goals and achievement of objectives.

Table 2 Descriptive results of performance management

Name of variable	S.D	Disagree	N.O	Agree	S.A	Mean	S.D
	%	%	%	%	%		
My organization has a performance management system	7.5	9.7	3.6	50.9	28.3	3.83	1.17
I set performance goals	7.7	10.5	5.5	44	32.3	3.83	1.21
I'm consulted when targets are set	9.3	15.4	11.1	41.2	23	3.53	1.26
Superiors coach me	8.1	15.6	12.5	40.6	23.2	3.55	1.23
Feel good when I accomplish	5.1	7.7	7.3	39.4	40.4	4.02	1.11
Recognized when I excel	11.5	18	13.1	31.3	26.1	3.43	1.34
Performance data collected	9.7	12.5	10.5	46.5	20.8	3.56	1.22
Defined targets for everyone	9.7	13.9	12.3	43.8	20.4	3.51	1.23
Trained in performance mgmt	10.9	17.8	12.9	40.6	17.8	3.37	1.27
Commit time for plan	1.4	22.6	18.6	40.2	17.2	3.49	1.06
Understand aims	8.5	8.5	8.5	50.3	24.2	3.73	1.17
Paid bonus when achieve targets	15.4	25.5	9.1	28.1	21.8	3.15	1.42
My targets are smart	6.5	11.1	14.9	48.9	18.6	3.62	1.16
Short time to implement system	1.8	26.9	27.3	31.7	12.3	3.26	1.04
Yearly reviews done	6.5	13.7	12.7	50.7	16.4	3.57	1.11

4.3 Descriptive results on leadership style

Leadership is about influence on people you work with in a positive way. Strategy has close association with leadership and setting strategy is one of the responsibilities of leaders. Respondents were divided as to whether promotion is fair or whether yearly increments are pegged on performance outcomes. However, most respondents agreed that they work with colleagues as a team, followed by working in a conducive environment and setting with superiors' yearly goals. However, a substantial proportion of the respondents are likely to disagree that turnover rate in the organisation is low.

Table 3 Leadership style

Name of variable	S.D	Disagree	N.O	Agree	S.A	Mean	S.D
	%	%	%	%	%		
Turnover rate low	18.6	23.4	6.5	35.4	16	3.07	1.41
Excellent performers recognized	15.4	23.8	6.5	35.2	19	3.19	1.19
Conducive environment	6.5	25	6.7	41.8	20	3.44	3.44
Team work	4.8	19.6	6.5	44.4	24.8	3.65	3.65
Set with superiors goals	7.3	22.6	18.8	28.9	22.4	3.36	3.36
Discuss with superiors	12.1	20.2	19	27.7	21	3.25	3.25
Fair promotion	19.6	19.6	19.4	24.2	17.2	3	3
Increment pegged on performance	17.8	22.8	18.8	22.6	18	3	3

4.4Factor analysis results

The determinant for the 15 underlying variables on implementation of performance management was 0.000004 (and not zero), suggesting that multicollinearity might not have been a problem. The Kaiser-Meyer-Olkin (KMO) measure of

sampling adequacy (also called the Factorability of R) was 0.944, which was above the 0.5 threshold (Field, 2005). This indicated that there appeared to be some underlying (latent) structure among the variables. This conclusion was buttressed by the significant finding of the Bartlett's Test of Sphericity (^{2} = 5874.86, df=91, p<0.001). In addition, each variable correlated at least 0.3 with at least one other variable while the diagonals of the anti-image correlation matrix were all above 0.5, which supported the factorability of the items. Finally, the communalities were all above 0.3 (Table 2), which further confirmed that each variable shared some common variance with other variables. Thus, all the 15 variables were initially included in the FA. However, the variable 'paid bonus' showed standardized loading larger than 1 on its component, and was therefore removed. The final model contained 14 variables, with two factors (components) whose Eigen values explained about 71% of the variance in the initial variables. This was above the threshold of 50% and indicated that the two-factor model derived fitted the data.

Table 4 Factor loadings and communalities based on a PCA with Promax rotation for 14 items measuring implementation of performance management (N = 505)

	Loadings		
	Factor 1: Goal setting	Factor 2: Timeliness	Communality
Superiors coach me	.890		
Organisation operate performance management	.888		
Supervisors collect data	.887		.771
Consulted when targets are met	.880		.778
I set goal at beginning of year	.880		.771
Defined targets for every one	.880		.766
Understand aims of performance management	.853		.779
I have been trained	.810		.793
I'm recognized when I excel	.799		.759
Feel good when accomplish targets	.796		.687
Individual yearly reviews	.738		.604
My targets are smart	.731		.584
Commit most time for plan		.873	.652
Took short time to implement performance system		.809	.588
			.713
Cronbach alpha (Composite .946)	.961	.601	.717

Table 5 Factor loadings and communalities based on a PCA for 11 items measuring leadership style (N = 505)

	Loadings	
	Factor 1: Leadership	Communality
Discuss with superiors my reviews	.882	
Fair promotion	.868	.777
Excellent performers recognized	.860	.753
Work in conducive environment	.857	.740
Increment pegged on outcomes	.856	.735
Set with superior goals	.856	.733
Team work	.798	.732
Turnover is low	.786	.637
Cronbach alpha (Composite .942)	.942	.617

All the variables loading on component 1 appeared to deal with goals of performance management and was labelled as 'goal setting'. The two variables loading on the second component captured the aspect of time in performance management and it was named as 'timeliness'. For leadership style, the determinant of 0.001 suggested that multicollinearity might not have been a problem among the manifest variables. The KMO was 0.893 while the Bartlett's Test of Sphericity was significant (^{2} = 3742.8, df = 28, p<0.001), which indicating that a factor model was appropriate.

The communalities were all above 0.6 while the diagonals of the anti-image correlation matrix were all above 0.5, which indicated some underlying (latent) structure among the observed variables. The PCA analysis extracted one factor with Eigen values accounting for 71.5% of the variance (Table 3).
The variables with the highest loadings appear to be related to management issues and thus the underlying construct was labelled as 'leadership'.

4.5 Effect of Leadership Style (transactional and transformational leadership) on the Adoption of Performance Management Framework SEMPATH modelled leadership as an exogenous, manifest variable while performance management was specified as a latent, endogenous variable, with two indicators, goal setting and timeliness. The resultant path diagram is presented in Figure 3.

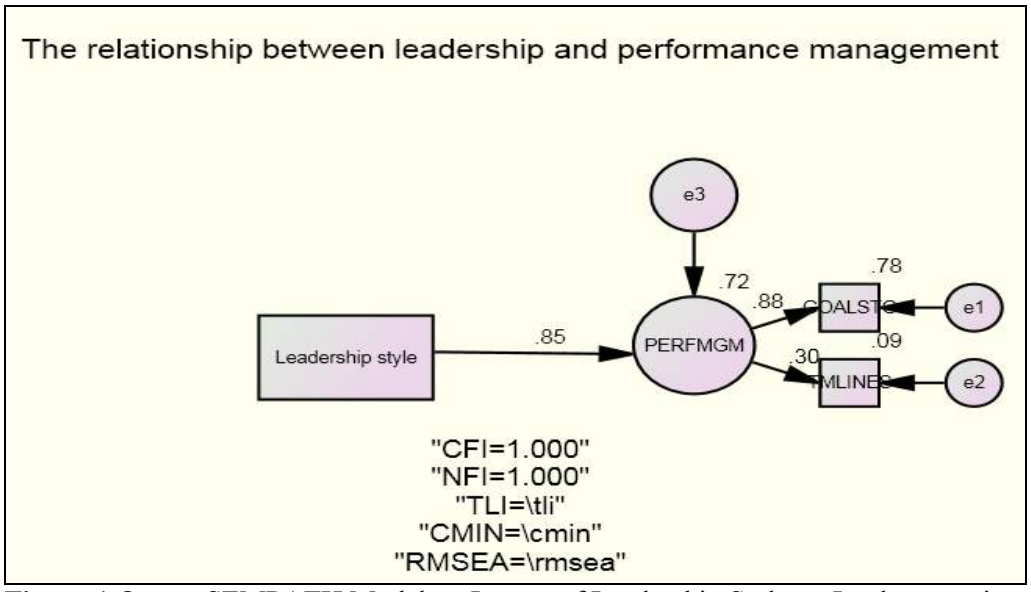

Figure 1 Output SEMPATH model on impact of leadership style on implementation of performance management framework

The values for normed fit index (NFI) and comparative fit index (CFI) were both a maximal 1.0, which indicated that the model fitted the data well. However, because the model was just-identified (it contained the maximum number of parameters), the degrees of freedom were zero and hence, the model chi-square (CMIN), root mean square error of approximation (RMSEA) and Tucker-Lewis index (TLI) could not be computed. The unstandardized path coefficient from 'Leadership style' to PERFMGM (performance management) was B=0.677, SE = 0.027, $p<0.0001$ whereas the standardized coefficient was =0.85. This suggested that leadership style has a strong and positive influence on the implementation of performance management framework. When leadership improves by one unit, implementation of performance management will increase by about 46% (coefficient of determination= $r^2 = 0.677^2$), *ceteris paribus*. R square for performance management in the model was 0.72, showing that leadership could explain 72% of the variation in implementation of performance management. Since this was quite high, it implied that successful implementation of PMS depends to a great extent on the leadership in the organisation.

4.6 Perceptions of demographic groups on the effects of leadership style on the implementation of PMS
Table 4 shows how the relationship between leadership style and effective implementation of performance management (path coefficient from Leadership style to PERFMGM in SEMPATH) differed in various categories of biographical background of respondents.

Table 6.: Implementation of Performance Management in Various Categories of Biographical Background of Respondents

Path coefficient	Biographical variable	Biographical category	Unstandardized coefficient	SE	Standardized coefficient
LEADERSHIP STYLE→ PERFMGM	Gender	Male	.804***a	.037	.758
		Female	.343***b	.031	.728
	Education	Certificate	.689***a	.079	.799
		College	.704***a	.045	.811
		Graduate	.426***b	.030	.840
	Age	< 30 years	.401***a	.053	.688
		30-34 years	.291***a	.053	.626
		35-39 years	.412***a	.037	.731
		> 40 years	.904***b	.044	.903

Key: For each variable, coefficients with different letters in a column are significantly different at $p < .05$, according to differences in the critical ratios between the coefficients. ***, ** means the path coefficient for that particular category is significantly different from zero at $p < .001$ and $P < .05$ levels, respectively. SE= standard error.

The results showed that male employees who possessed a certificate or college education and were 40 years or more were more likely to believe that leadership influenced performance management implementation compared to younger, female, and graduate employees.

5 Discussion and conclusions

The results offer empirical support to the notion that leadership style is crucial in the successful implementation of PMS. The results are in agreement with the role of leadership, which has been found to be relevant in employee willingness to voice ideas aimed at improving the organization and the way it function. Essentially, the organization is a reflection of its leaders (Nwankwo and Richardson 1996). One of the reasons that has led to a failure in performance management is because it is perceived and practised as two separate events, namely setting goals at the beginning of the year and end of the year performance appraisal (Prowse and Prowse 2009; Nayab and Richter 2011). For PMS to be successful, it has to be an ongoing and cyclical process of planning, continuous coaching and performance counselling, and appraisal. Each of these events are characterised by a high level of interaction between the parties involved, and an appropriate leadership style will be germane in ensuring that the steps are brought to fruition.

Leaders are important internal actors within the organization and the kind of internal change agents (Birkinshaw *et al*. 2008) who impact the implementation of new practices, processes and structure. Public institutions therefore, must analyze the attributes of the leaders in various arms of the government if implementation of performance management framework is to succeed and this is the gap this study strives to fill. Brown (2008) outlines eight key challenges as barriers to public management in implementation of performance management systems: managers were seen to believe that performance management will not stick just like many other strategies that have not succeeded. If performance management is not viewed as integral part of job performance, managers will not invest the time and energy to support its success. Leadership behaviour plays a very important role in enhancing job satisfaction, work motivation and work performance. The results call for a more strategic leadership style on the females, more educated and younger respondents, who are likely to be more resistant to the notion that leadership style influences PMS.

The study found that both transactional and transformational leadership has a strong and positive influence on the implementation of performance management framework. In addition, the study found that successful implementation of PMS depends to a great extent on the leadership in the organisation. The results also showed that male employees who possessed a certificate or college education and were 40 years or more were more likely to believe that leadership influenced performance management implementation compared to younger, female, and graduate employees.

The study recommends that organisations should adopt more strategic transactional and transformational leadership style if they are to successfully deliver the contiguous stages required in PMS. This study established that there is need to include leaders characters that strongly related to implementation of PM than 360 degree feedback. The learned females in this research showed that they understood what they were doing and chose not to be influenced by the leadership and

strategies employed in implementation of PMS. The employee has no choice but to know that change is inevitable and if not adopted then one becomes like a dinosaur.

The study was limited to use of performance model used my western countries, hence there is need to come up with a Performance Measures Model that is working and suitable for African countries and which can also be emulated in the developed world. The reason for this recommendation is that developing countries just rely on developed countries to come up with theories/model and no original work can be traced to African states though we have a huge body of intellectuals. Further, the model that this study developed can be modernized through further research whereby various organizations can be analyzed and responses compared.

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Outsourcing information communication technology services in selected public university libraries in Kenya

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Outsourcing is a management strategy that is gradually proving its worth in library and information science. The purpose of this study was to investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges facing libraries in outsourcing ICT services. The study adopted a multi-case study strategy in four selected public university libraries in Kenya. Purposive sampling was used to identify respondents. Data collection was done using a semi-structured interview schedule. The findings reveal that public university libraries in Kenya outsource ICT services such as Internet, e-resources and derive benefits such as cost cutting, knowledge and skills acquisition and economies of scale. The study noted that ICT policies and procurement laws are inadequate in guiding the outsourcing processes. The study found that ICT service processes had various challenges such as high cost and loss of control of the services due to relying heavily on the vendors. The study concluded that there was a need for the library management to be conversant with outsourcing procedures, such as negotiation of contracts, to gain more from outsourced ICT services. The study recommended that the university libraries develop, review and implement ICT outsourcing policies. The university management should involve librarians in the outsourcing process and implementation.

Keywords: Information Communication Technology, Information Systems, Outsourcing, ICT Outsourcing, Public Procurement Act, Public University Libraries.

Introduction and theoretical foundation

This study is largely informed by a theoretical approach provided by Pfeffer and Salancik (2003), Resource Dependency Theory (RDT) and Transaction Cost Theory (TCT) put forward by Coase (1937) and modified by Williamson (1985). Resource Dependency Theory (RDT) theorizes that organizations are dependent on resources that originate from their environment and controlled by other players in the environment. Resource supply depends on the complexity, dynamism and richness of the environment such that a poor environment faces scarce resources. Since organizations depend on the resources in the environment, resources become a basis of power, making legally independent organizations become dependent on others for survival. According to Pfeffer and Salancik (1978), dependence is contingent on how essential the resource is for survival and the degree to which others control the resource. RDT proposes that organizations lacking in essential resources will seek to establish relationships with (i.e. be dependent upon) others in order to obtain needed resources.

Transaction Cost Theory (TCT) predicts when certain economic tasks can be performed by hierarchical governance (in-source) and when they can be performed on the market (outsource) (Williamson 1979). According to Williamson (1985), transaction involves considering all "transactions" as not only the obvious cases of buying and selling, but also as day-to-day emotional interactions and informal gift exchanges. TCT proposes that outsourcing decisions should be made after evaluating transaction costs of producing required infrastructure services internally or buying them externally (Williamson 1979; 2002). Williamson (1985) recommends that decision-makers must weigh up the production and transaction costs associated with executing a transaction within their firms (in-sourcing) versus the production and transaction costs associated with executing the transaction in the market (outsourcing).

RDT considers outsourcing library functions as a strategic decision taken by libraries to secure critical functions for their survival and to fill gaps in their resources and capabilities (Grover, Cheon &Teng 1995). However, in the process of

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outsourcing, those who control the resources required for libraries influence libraries (Pfeffer & Salancik 2003). TCT expands RDT by suggesting that a library has to consider options of whether to in-source or outsource by assessing the transaction costs involved.

Public university libraries rely heavily on the effective and efficient use of ICT to support research and education to remain relevant and competitive. To achieve their objectives, university libraries require technical ICT staff among other resources and facilities. Due to recent technological advances, the trend has been to take advantage of the world of information technology outsourcing in such functions as subscriptions, digitization and automation. Policy makers in public university libraries view outsourcing as a way of securing critical ICT support services. To this extent university libraries have outsourced non-core services such as security, cleaning, and courier services to supplement subordinate library operations (Martin *et al*. 2000).

The term outsourcing originates from the Anglo-Saxon language realm and is an abbreviation of the words "outside resource using" (Weimer & Seuring 2007:149). According to Bordeianu & Benaud (1997) outsourcing is the transfer of an internal service or function to an outside vendor. Many authors (Grover, Cheon, & Teng 1994; Sharpe 1997; Quinn 2000; Rajabzadeh, Asghar & Hosseini 2008) view outsourcing as a form of predetermined external provision by another enterprise for the delivery of goods and/or services that could previously have been offered in-house. The acquiescence definition of outsourcing by the authors is an organization acquiring goods or services from an outside supplier at a fee instead of obtaining the goods or services on their own. Outsourcing is therefore the use of an outside contractor who is paid a fee to perform important parts of library operations/services previously undertaken in the information centers or brought in as new services.

The rapid technological advancement, evolution of the Internet and the availability and adoption of broadband networks has enabled even small and medium enterprises (SMEs) to implement outsourcing strategies (OECD 2008). Organizations practise outsourcing for a wide range of reasons, such as to cut costs, to bring in a skilled and competent work force and to gain a competitive edge over other organizations. Some benefits and challenges are highlighted in the next section.

Outsourcing benefits and challenges

Outsourcing is increasingly being used to reduce costs (Mohammed 2005), gain easier access to expertise (Lacity, Willcocks & Rottma 2008; González, Gascó & Llopis 2010a; González, Gascó, & Llopis 2010b), enable new technological developments (Claver *et al*. 2002) and achieve strategic goals by libraries. University libraries outsource for various reasons, from short-term tactical reasons such as unavailability of skills to long term strategic reasons such as to free resources for other purposes (Lederer & Tucker 2003).

Outsourcing introduces an element of competition (Rajabzadeh, Asghar & Hosseini., 2008; Gupta *et al*. 2005) and enables institutions to avoid risks (technological obsolescence) and variable staffing (Glickman *et al*. 2007; González, Gascó, & Llopis 2010b). Risks, such as liability issues and insurance coverage, can be transferred to the vendor. Additionally, outsourcing allows firms to focus their resources on core competencies as the outside experts assume operational details (Hayes, Hunton & Reck 2000; Smith, Mitra & Narasimhan 1998; Claver *et al.* 2002; Rajabzadeh, Asghar & Hosseini 2008). Outsourcing is a way of acquiring technology without having to make large investments in technology, thus increasing flexibility (Jurison 1995).

There are many challenges associated with outsourcing. Ngwenyama & Sullivan (2005) cite monitoring problems that arise from an inability to specify the scope of the work performed by the vendor, while Nelson, Richmond & Seidman (1996) acknowledge problems of applying penalties and incentives to contracts that depend upon accurate performance measures. Outsourcing may be expensive in the long run since; outsourcing providers may demand greater premiums. For example, Claver *et al*. (2002), Gonzalez *et al.* (2010a) and Miles (1996) specify loss of business knowledge and experience, as the tasks are taken by the contractor's staff who are highly qualified. Over time the organization may become over-dependent on the vendor (Ngwenyama & Sullivan 2005; Slaughter & Ang 1996), resulting in a loss of core competencies and proprietary information. As a result, staff may develop low morale and a feeling of insecurity (Palvia 1995).

According to Ngwenyama (2007), without careful considerations of the various risks associated with outsourcing, any gain can be more than offset by significant losses such as financial loss, individual privacy, data security and loss of ICT expertise.

As libraries outsource they face complex decisions about how to best engage alternative outsourcing options in ways that leverage their benefits and protect the public universities' interests. They create policies and processes that help individual libraries make effective outsourcing decisions.

Overview of outsourcing in libraries

Outsourcing in academic libraries has existed on a moderate scale for years, but its popularity as an alternative to direct in-house services grew rapidly in the 1960s and again in the 1990s (Benaud and Bordeianu 1998). The libraries mainly outsourced non-core services in peripheral areas such as security, maintenance and courier services. In the 1980s, some cataloguing functions began to be outsourced (Benaud and Bordeianu 1998). Libraries contracted with vendors for the provision of retrospective conversion of records, and they began buying indexing and magazine articles from H.W. Wilson Company and book cataloguing information, in card form, from Library of Congress (Martin *et al.* 2000). For instance, the Wright State University in 1993 outsourced its cataloguing department (Martin **et al**. 2000) and such trends have been followed even in recent years.

The early 1980s saw most Commonwealth countryies' universities turning to outsourcing as a way to do more with less when they were faced with shrinking financial resources coupled with a need to expand their enrolment (Ball *et al.* 2002). A survey done by Lund (1997) on outsourcing among 102 universities of the Commonwealth cited reasons for outsourcing as: lowering of costs at 49%, improving quality of service 26%, and 13% cited the growth of staff. In addition, findings indicated services outsourced including building design, construction, project management, cleaning, catering and operating bookshops.

In the UK, outsourcing became a trend in libraries in the 1990s and was much more extensive, including bookselling, Library of Congress cards, and computer maintenance for many years (Ball *et al.* 2002). Many public university libraries in the UK have outsourced preservation and collection development (Ball *et al.* 2002) and outsourcing of technical services is on the rise. Currently ICT outsourcing is on the rise with libraries venturing into Knowledge Processing Outsourcing (KPO) (Samulevicius & Samonis, 2006)

Outsourcing studies in Kenya are not as advanced as in countries like the USA, UK, South Korea and Australia, which have recorded the largest amounts of published literature as revealed by a study conducted by Alsudairi & Dwivedi (2010). This study sought to investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges facing libraries in outsourcing ICT services.

2. Problem and purpose of the study

Information Communication Technology is an enabler of university research, innovation and educational competitiveness. University libraries, being the epicenter of the university system, need strong ICT technical staff able to provide quality services to the university community. Unfortunately, the majority of Kenya's top librarians have been equipped with a traditional set of library skills centered on the acquisition, organization and preservation of print-based information sources. Ondari-Okemwa (2000) and Ocholla & Bothma (2007) share the view that facilities for training librarians in Kenya were inadequate and not well maintained, and that the ICT skills taught to students was more theoretical than practical. Furthermore, even those equipped with the ICT knowledge move to alternative professions, leaving a vacuum in libraries. The nature of ICT services is such that constant changes occur at a faster rate, requiring staff to upgrade their technical skills continuously.

ICT is a prerequisite for driving the library in the right direction, being the heart of the university, as well as providing users with quality services. Due to the increased demand for Web-based information resources by users, librarians are compelled to outsource ICT services as a way of securing critical ICT services to complement the traditional library and information services and enhance their service delivery.

Outsourcing ICT brings with it enormous benefits to the library, such as cutting costs. However, in the case of public university libraries in Kenya, the outsourcing processes are not delivering the required benefits owing to various challenges. ICT outsourcing models in Kenya are scarce, with procedures that are fragmented. There are no empirical studies in the area to drive policies and procedures. It is with regard to the above that this study sought to investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges experienced in outsourcing ICT services. The objectives of the study were to: examine the range of ICT services outsourced by selecting public university libraries in Kenya, review the legal and infrastructure framework for outsourcing and establish the challenges associated with outsourcing ICT services in public university libraries.

3. Methodology

A qualitative study adopting a multiple case study strategy was used. The study was conducted in four selected public university libraries in Kenya. Among the universities chosen the units of analysis were the university libraries, namely; Moi University Library (MUL), Kenyatta University Library (KUL), Jomo Kenyatta University Library (JKUL), and the University of Nairobi Library (UOL). The choice of libraries was based on their size, the history of the university and the adoption of ICT in the provision of library services.

The study purposefully selected 40 respondents comprising senior university managers, librarians, ICT Directors and vendors involved in outsourcing as shown in Table 1 below.

Table 1 Sample size and framework

Respondents	MU	KU	UoN	JKUAT	Total
Deputy Vice-Chancellor, Finance	1	1	1	1	4
Director of ICT	1	1	1	1	4
University Librarian	1	1	1	1	4
Systems /ICT Librarians	1	1	1	1	4
INASP Representative	1	1	1	1	4
Acquisition Librarians	1	1	1	1	4
Reference Librarians	1	1	1	1	4
Cataloguing Librarians	1	1	1	1	4
Circulation Librarians	1	1	1	1	4
Vendors	1	1	1	1	4
TOTAL	10	10	10	10	40

Data was collected using semi-structured interview schedules administered to the library management staff, IT managers, and university administrators. Qualitative analysis was applied complemented by quantitative analysis. The raw data obtained was scanned and sorted into different types to enable the researcher to establish categories through a coding process, which was done manually.

The study was limited to the public university libraries; therefore some of the findings may not be generalized to the private universities.

4. Results and discussions

This section presents the findings on the range of ICT services outsourced, the legal and infrastructure framework in outsourcing and the challenges associated with outsourcing ICT services in public university libraries.

4.1. ICT services outsourced by libraries

The study's objective was to explore the range of ICT outsourced by the Libraries. The respondents, who comprised the Deputy Vice-Chancellor in charge of Finance, Director of ICT, University Librarian, Systems /ICT Librarians, INASP Representative, Acquisition Librarians, Reference Librarians, Cataloguing Librarians, Circulation Librarians, were asked to provide information on the type of ICT services outsourced.

The study established that the ICT services outsourced by all four university libraries included e-resources, the Internet, automation and training. Among the services outsourced, resource acquisition was outsourced under joint ventures, while others, such as security, digitization and web-based references, were outsourced from different vendors.

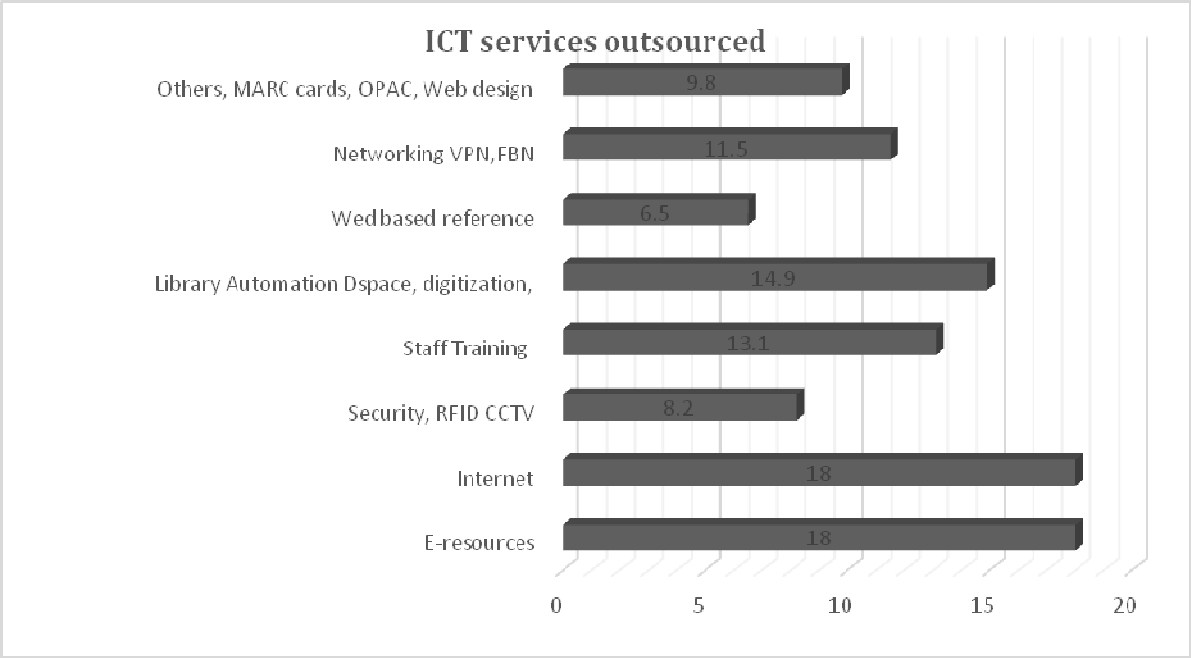

Figure 1: ICT services outsourced by the Public University libraries

The above table indicates the range of ICT services outsourced by public university libraries in Kenya. E-resources and the Internet are the dominant services outsourced by all the libraries. This is attributed to the fact that they signify the core business of the university, which is to provide information to users.

E-resources

All the libraries had outsourced e-resources through the Kenya Library and Information Services Consortium (KLISC) of which they were members. The Consortium works with PERii (Programme for Enhancement of Resource Information) and the International Network for the Availability of Scientific Publications (INASP) programme to get in touch with the publishers and provide feedback to the country representative(s). PERii sources services and then passes the requests to INASP. Libraries outsource the resources through INASP

The study found that the E-resources were the most outsourced ICT services, at 18%, because they were critical to libraries' providing users access to current and up-to date information using the state of the art technology. It was also cheaper to outsource due to economies of scale. Additionally, the individual library lacked the skill and technical capability required to host such an enormous ICT project. The study attested that the libraries contracted vendors specializing in the area of ICT; hence, they were knowledgeable and experienced in the respective areas of providing e-resources and the Internet. Petry-Eberle & Bieg 2009 affirm the findings of the study: they state that in the expansion of the demand for online resources, subscriptions are taken over by a portfolio of licensed online resources and internal alliances formed to jointly acquire electronic resources online.

Internet Services

Public university libraries all outsourced Internet services at subsidized prices from the Kenya Education Network (KENET) as rated at 18%, the same level as e-resources. The four university libraries had contracted KENET to provide Internet services as claimed by librarians:

> The library has outsourced from KENET because the university is not an Internet Service Provider and normally the requirement to be an ISP is that you have to buy a bulk bandwidth and it is easier to outsource from an INASP.

Virtual Private Network and installation of Fibre Backbone Network

This service had an 11.5% rating. Moi University had outsourced Virtual Private Network (VPN) and installation of the Fibre Backbone Network (FBN) services from Safaricom Ltd., (a leading mobile network operator in Kenya). VPN enables internal communication within the campus. This was outsourced because the university has no capacity to install a VPN and therefore the service is outsourced to Safaricom.

Installation of FBN connects the buildings, such as the schools and the students' centre, to the library. The library outsourced the service because it required expensive equipment for terminating and installing the fibre.

Library automation

All the libraries had outsourced the automation of the library, albeit from different vendors and rated at 14.9% with projects such as digitization and OPAC. KU and JKUAT had an outsourced implementation of open source software (LibLime KOHA). Though KOHA is an open source, KUL had contracted vendors to help in its implementation due to a lack of staff with the capabilities to implement the service. The University of Nairobi had outsourced their Library Management System (LMS) (Vubis Smart), from the University of Brussels and relied on a vendor for the maintenance of the system. The library had no staff with the skills to maintain the system and still completely relied on the University of Brussels.

Moi University Library had outsourced open source software, Automation of Libraries and Centre's Documentation (ABCD) system from Belgium. The Library initiated the project in 2010 and it was still operating at the time of compiling this report. The Library outsourced the system because it was well developed and was better than the other options the library had envisaged, as it was more cost effective than an in-house developed system. As explained by a respondent:

> The system was much cheaper to outsource than developing one internally, besides development and implementation of the system was facilitated by a donor making it easier to acquire the system.

Although most of the LMS was open-source software, the staff lacked knowledge to implement the systems and therefore relied on vendors to train them. A large proportion (three) of the libraries expressed dissatisfaction with the way their respective libraries outsourced various LMSs. Universities contracted various suppliers without benchmarking with the pioneer organizations. This concurs with Benaud & Bordeianu (1998) findings that even though academic libraries typically acquired off-shelf systems they still engaged in partial outsourcing. The majority of the public university librarians lacked the skills to develop an LMS in-house and it was cheaper to outsource than to develop one internally.

OPAC is an online database of materials held by a library or group of libraries. All libraries had commissioned vendors to set it up for them.

DSPACE is software used in automating resources. It is a software package for creating open-access repositories for scholarly and published digital content. The study revealed that MUL and KU libraries were in the process of converting their printed research and scholarly work in repositories and were considering using DSPACE or were using it. Moi University Library (MUL) had used the software to preserve and share academic research. However, at the time of the study, the library had suspended its use, citing logistic reasons. KU library was in the process of outsourcing the implementation of DSPACE for lack of internal staff with the necessary skills.

The study found that libraries also used vendors to digitize their Institutional Repositories; for instance, the University of Nairobi was in the process of engaging a firm (Digital Divide Data (DDD)) to digitize their institutional repositories. Kenyatta University Library was in the process of digitizing their library resources starting with all the past examination papers.

The study revealed that libraries outsourced LMSs since it was cheaper than developing them in-house. Developing an LMS is an expensive, costly and time-consuming affair that requires IT skills and knowledge of issues of systems design and development. The study findings are in line with Benaund & Bordeinu's 1998 study, which asserts that academic libraries choose to outsource rather than develop the systems in-house and employ several levels of outsourcing such as complete outsourcing or partial outsourcing.

Training staff in ICT

To enhance competency in staff skills, all the public university libraries had outsourced staff training; most librarians lacked skills in ICT areas. This occasioned the need to train staff to enable them to carry out routine maintenance and implementation of certain ICT projects.

All four libraries had engaged vendors specialized in areas such as digital and institutional repositories to train library staff, rated at 13.1%. Areas of training included record-keeping at UoNL, ICT courses such as CISCO, LINUS, Oracle and Dbase from certified organizations by MUL, and maintenance of ICT technologies by all four libraries due to a lack of ICT technical skills.

According to Bersin and Associates, 2004, outsourcing the training of staff is drawing attention today because of the value it brings to the organization. Training helps the managers focus on strategic priorities and more important high-level activities freeing up resources to focus on measurement, evaluation, and operational excellence in training programs themselves. Therefore, when there was a need to train staff in certain skills, the option that the library chose was to identify a supplier who could offer the necessary training and outsource the services.

Security

All the libraries had different methods of securing information: for example, by the use of Closed Circuit Television (CCTV) outsourced by the JKUAT library through 3M, Radio-frequency identification (RFID) by KU and the use of guards

at the University of Nairobi library using a security firm to safeguard their facility. This had an 8.2% rating. The findings concur with Debar & Viinikka's (2006) study that recommended the security of information as an area that may be outsourced.

Web-based reference services

Of the four libraries, Moi University Library and the University of Nairobi had contracted this service out. This earned a rating of 6.5%. Moi University Library collaborated with Indiana University, having the latter carry out reference searches for the former. The University of Nairobi worked with the British Library to have articles from certain journals delivered to them at a fee as indicated by the acquisitions librarian.

The study revealed that two of the libraries had not outsourced document-searching services and were not providing it internally. The study attributed this to librarians' lack of knowledge in web reference systems, forcing them to continue using traditional modes of reference services. Web-based reference, or an online reference, is a relatively new addition to library services that is gaining wide popularity in public and academic libraries (Sajeev & Ramingwong 2007). Web-based reference services require a network of ICT expertise, intermediation and resources placed at the disposal of someone seeking answers in an online environment, lacking in many libraries.

Other outsourced services

Other services the libraries outsourced (rating 9.8%) included:

- MARC bibliographic records. All four libraries were using LC MARC Record and tags for copy cataloguing bibliographic data.
- Provision of photocopying services is one of the major methods used by libraries to make copies of text, photographs and other printed documents. The study revealed that JKUAT library had photocopying services outsourced to a vendor; Moi University on the other hand was providing the service internally.
- It also revealed that JKUAT library was outsourcing lift maintenance to 3M Company.
- Printing of library cards.

The findings indicate that Kenyan university libraries outsourced ICT services which were selected based on certain factors. Libraries would outsource if the service was not within the library's core competency, where skills were lacking, to gain economies of scale and if the service was cheaper to acquire from a vendor than in-house sourcing. Services predominantly outsourced by all the libraries included the Internet, e-resources, training and LMS. This can be explained by the fact that these services were very crucial to the library and, due to financial constraints, library management had to find strategic ways of acquiring the resources at affordable costs. The study confirmed the views of related studies (Claver *et al*. 2002; Rajabzadeh 2008) that ICT outsourcing is preferred to allow management the control of their core activities and allow a firm to focus its resources on those activities that are considered its strengths, often referred to as core competencies.

4.2 Policy and legal framework guidelines for outsourcing services

The second objective was to review the legal and infrastructure requirements in ICT service outsourcing. The respondents were asked what policies and legal frameworks were applied in ICT outsourcing. Legal and regulatory measures utilized by the libraries in outsourcing procedures included ICT policy, procedural manual and service level agreement. These were to outline and guide the outsourcing processes. However, the study revealed that there were variances in the way the libraries operated, as shown in Figure 2.

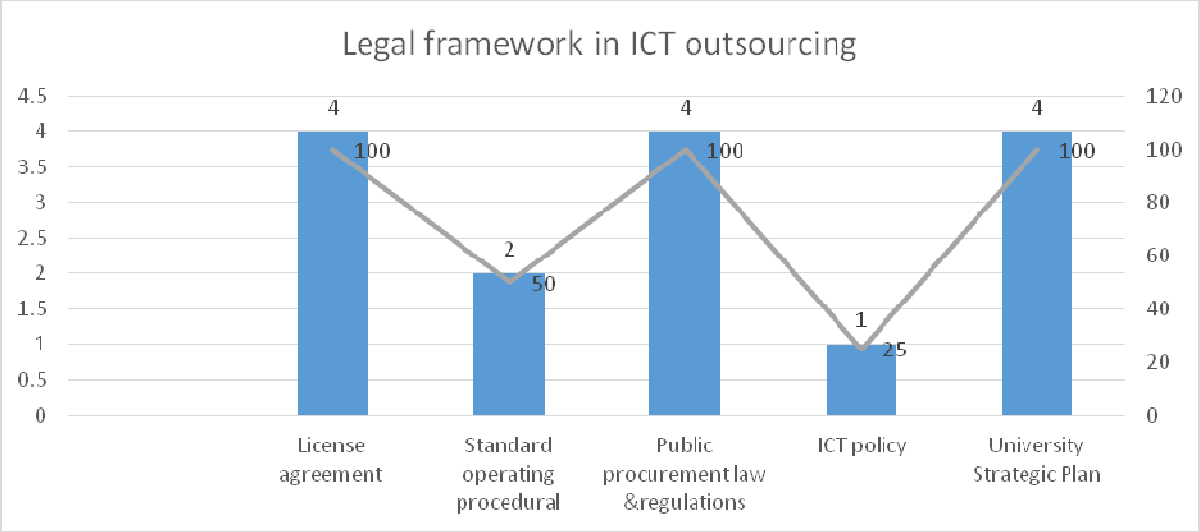

Figure 2: Legal and infrastructural frame work in outsourcing

The Public Procurement and Disposal Act of 2005

The Public Procurement and Disposal Act of 2005 contains the rules and procedures for the procurement of services, including the outsourcing of services in the Kenyan public sector (Republic of Kenya 2005). The study found that all libraries applied this Act in procurement. Although the libraries used procurement regulations, they did not cover all aspects of outsourcing. Procurement laws in use were inadequate in elaborating issues of outsourcing.

Libraries utilized the Public Procurement and Disposal Act of 2005 to select the vendor to award a contract based on the lowest bidder, in compliance with the Procurement Act. Section 66 (4) of the PPDA Act states that the successful tenderer shall be the one based on the evaluated price. The lowest bidder thus gets preference to everyone else. This in itself is a setback to attain the best value for money. The study attested that awarding contracts based on low prices does not guarantee that the services will be good or that the library will get ICT services that are tailor-made to address specific needs of customers. The study declared that this mostly resulted in selecting unqualified bidders, since the main criteria was the lowest bidder, suggesting that libraries did not always get the most qualified bidder.

Other areas where the Act was not strictly followed was the extent of library (user department) involvement in selecting a vendor. The study found that, while in UoNL Library librarians were involved in making decisions about some of the ICT services to be contracted, in others, namely MUL, JKUL and KUL libraries, there were minimal consultations, which left these librarians feeling let down. In two of the libraries, ICT outsourcing decisions were taken in consultation with the ICT Directorate. For example, in its draft ICT Policy, Moi University Library had a clause stipulating the following:

> The user department shall be allowed to outsource only in consultation with the ICT Directorate and only if the service cannot be provided by any other organ of the University.

Although all the libraries used the Public Procurement and Disposal Act in the outsourcing process, the Act was rigid and did not favour ICT outsourcing. For instance, according to Section 26 (1) of the Act, public entities have the authority to establish procurement procedures. This resulted in differences with regard to procurement processes, thereby defeating the purpose of the Act, which aims to standardize procurement across all public entities. The freedom to establish their own procurement procedures means that libraries are likely to treat identical situations differently. For instance, while the University of Nairobi allowed single sourcing when procuring books, the study observed that different procedures already existed in relation to outsourcing IT services.

Moreover, library ICT services outsourcing poses some intricacies compared with procurement of other goods, because the supplier owns not only the facilities but also the assimilation of the ICT service into the organizational environment of the outsourcer. For e-resources, the authors present divergent ideas and may choose to publish their work with different publishers, making it impossible for libraries to adhere strictly to procurement laws, which explains why such libraries as the University of Nairobi were not strictly following the procurement rules when acquiring books and e-resources.

Related studies (Katila, Rosenberger & Eisenhardt 2008) agree that a client must not focus too narrowly on a single, isolated process when making an outsourcing decision, because it can be dangerous and risky. They recommend that choices be made only after weighting considerations such as a net gain or loss in efficiency, the cost-effectiveness of using outsourcing, and dependence created by a third party outsourcing.

The study concluded that a successful ICT outsourcing application requires that the users, project managers and technical personnel be intimately involved in the development process to allow for staff project ownership and effective implementation. Other studies (Behara, Gundersen, & Capozzoli 1995; McCarthy 1996; Lankford & Parsa 1999; Katila, Rosenberger & Eisenhardt 2008) agree that suppliers who have a good understanding and an interest in the outsourcing firm's business will be better positioned to help define mutually beneficial goals. This will enable the library to outsource services in line with its objectives.

Table 2 Summary of the policy and legal framework guidelines applied in outsourcing services by university libraries

Legal/Regulatory framework	KU	MU	UoO	JKUCAT
Public Procurement and Disposal Act				
ICT Outsourcing policy	×	Draft format	×	×
Procedural manual	×	Draft format	×	×
Service legal agreements				
University strategic plan				

ICT outsourcing policies and procedural manual

All four university libraries lacked outsourcing policies; three had drafted policies that mostly covered acquisition generally, while one did not have any. Moi University had a draft policy that had not been ratified by the University Council. The University of Nairobi did not have an outsourcing policy, although they had a draft Collection Development and Acquisition Policy.

All libraries lacked operational ICT procedural manuals. Only Moi University's ICT Directorate had drafted ICT Procedure Manual. ICT policy and procedure manuals outline and guide the outsourcing processes. A procedure manual promotes adoption of the process approach to activities being performed, thus ensuring that the objectives of the service are achieved. The study by Khalfan (2003) supports the importance of standard operating procedures in an organization and views a lack of them as contributing to the failure of ICT outsourcing projects. The study concluded that due to the absence of procedural manuals inconsistencies occurred, such as libraries dealing with ICT outsourcing on a case-to-case bases.

Service Level Agreements

The four university libraries usually signed service level agreements and would engage the services of a lawyer for legal interpretation when drawing up a contract between the library and the supplier. Signing of a service level agreement made the contract legal and binding. Its purpose is to evaluate the services in certain cases. The study found out that only two of the libraries used the contractual agreements signedto assess the performance of the suppliers

Due to obscure outsourcing procedures, libraries evaluated and implemented opportunities for outsourcing on a case-by-case basis and lacked coordinated strategic planning across the functions and services. There appeared to be wide variances on how libraries understood, interpreted and applied the legal and operational procedures. The study attested that laws governing public procurement were not effectively utilized in outsourcing ICT services, and therefore did not produce the desired results.

4.3 Challenges associated with outsourcing ICT services

The study found that the laws governing public procurement, though utilized in outsourcing ICT services, did not produce the desired results, resulting in various challenges as indicated in Figure 3 below,

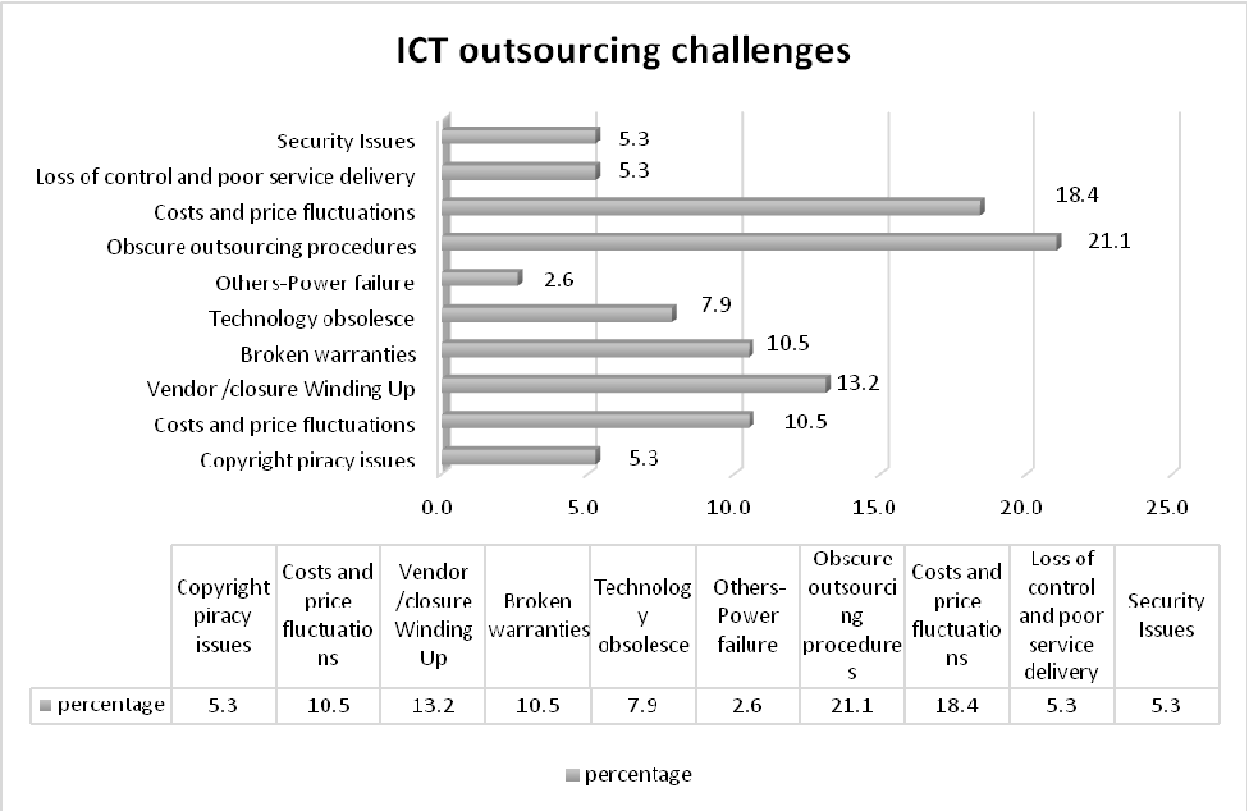

Figure 3: ICT Services Outsourcing Challenges

(a) Obscure outsourcing procedures. Libraries evaluated and implemented opportunities for outsourcing, often on a case-by-case basis as indicated by 21.1% of the responses. They lacked coordinated strategic planning across the functions and services. The procurement law was not effective in guiding ICT outsourcing processes as supported by studies such as Amemba *et al.* (2015: 273). Libraries selected vendors based on the lowest bidder, thus contributing to the selection of unqualified suppliers. There was a consensus among the respondents from the four libraries that the lack of policies and a legal framework was a major challenge. The study found that libraries lacked documented and approved outsourcing procedures as well as standard operating procedures, causing confusion.

(b) Cost of services and price fluctuations came second, rated at 18.4%. In many cases the budget allocated to libraries remained the same despite ICT services, prices being on volatile pace as supported by studies such as Kavulya (2006). This was a challenge which has led to the creation of numerous hedging strategies such as continuous negotiations and entering into a library consortium due to the unpredictability of ICT services for outsourcing price levels. Moreover services such as e-resources are not all localized in nature, contributing to market participants' lack of a better feel for demand levels, finding it hard to sustain the services.

(c) Vendor closure and broken warranties (13.2% and 10.5%). This was a challenge that libraries encountered when suppliers closed shop, either because of a change of business or lack of finances to sustain their business. For example, Moi University had contracted the Wantech Company to oversee radio communication between its campuses. Wantech went into liquidation, leading to a breakdown of equipment because the vendor had not trained library staff on maintenance. This affected the services that the library provided.

(d) Change of technology. The respondents (7.9%) admitted that constant change in technology requires librarians to keep upgrading their facilities, which was a challenge to libraries. For example, while the University of Nairobi was still using a manual security system, Moi University and Kenyatta University were outsourcing RDIF, a current technology. Jomo Kenyatta University of Science and Technology Library was using CCTV. Due to constant technological changes, librarians had to constantly deal with inadequate technology posing inadequate quality service delivery

(e) Security and copyright issues in ICT outsourcing: The Library entrusts its data to the supplier, especially with regard to ICT services. As a result, the library had challenges in dealing with matters of data security (5.3%) and copyright (5.3%). For instance, copyright issues arose when Moi University digitized its academic research reports, because some students

plagiarized the works. The Library withdrew the service and is now considering outsourcing DSPACE that is more reliable. University of Nairobi Library is drawing up an open access policy to deal with copyright issues. However, it has challenges in enforcing that policy so that anyone who either has used the university to carry out research or funded by the University deposits the resulting document in the university repository.

(f) Loss of control of the services (5.3%.). This was associated with the fact that not many suppliers provided full disclosure about their services. For example, some parts of the ABCD software's documentation that Moi University Library had outsourced from Belgium were in Spanish. This forced the library to keep relying on the supplier for the support of the system. This resulted in the library essentially losing control and relying heavily on the vendor. The study confirmed that in some instances the vendors had preyed on the librarians' ignorance through overcharging certain services and refusal to provide full disclosure of the services. The study concluded that the library essentially lacked control of some outsourced services because staff were incapable of performing the services without the vendor. Similar studies (Slaughter & Ang 1996; Antonucci, Lordi, & Tucker 1998) noted that the nature of outsourcing creates a dependence on the provider firm with a consequent loss of independence because the outsourced department is no longer readily available for use in management training, preventing the creation of easy familiarity with that function.

(g) Others (2.6%) included low access and connectivity due to bandwidth, which determines the efficiency of Internet connections in the libraries. The study found that the Internet bandwidth connections of most libraries are too low for them to enjoy most of the available e-resource services and online academic facilities. The poor state of Internet connectivity affects the information needs of the clientele as it hinders access to information. Besides, the study found that the high cost of Internet connectivity posed a challenge to the university libraries, meaning that many users had no access. Additionally, interrupted power supply and power fluctuations adversely affected access by users to the services outsourced.

A study (KENET 2010) supports the findings, observing that the higher education community, especially the university community in Kenya, is ready to use ICT for learning, teaching, research and management. However, the institutional leadership appeared not to have recognized ICT as a strategic priority for transforming these activities. Consequently, institutions were allocating low operational budgets to ICT, did not invest adequately in campus networks, and did not have strategies for building the capacity of faculty to use ICT effectively to support their teaching and research activities (KENET 2010).

5. Conclusions

Based on the findings, the study found that all the libraries practiced ICT outsourcing for services such as e-resources, the Internet, training of staff, web-based referencing computer network infrastructure, library automation, web designing, OPAC and security, that were critical services. Consequently, the study found that public university libraries outsourced to allow them to address perceived deficiencies in their own resources and capabilities.

The study alluded to the fact that due to obscure outsourcing procedures, libraries evaluated and implemented opportunities for outsourcing on a case-by-case basis and lacked coordinated strategic planning across the functions and services. There appeared to be a wide variance in how libraries understood, interpreted and applied the laws. The laws governing public procurement, though utilized in outsourcing ICT services, did not produce the desired results, resulting in various challenges. The study found that the challenges that the libraries were facing included a high cost of services, obscure ICT outsourcing processes, loss of control and vendor closures and broken warranties.

The study concluded that it is critical that public university libraries understand the challenges that can contribute to ICT outsourcing failure. In order to reap as many benefits as possible from outsourcing, it is essential for libraries to utilize a solid legal and infrastructure framework approach in managing outsourcing process. Such a regulatory framework may pave the way for a secured and successful ICT outsourcing with proper management and strong enforcement of policies and procedures.

ICT outsourcing holds great promise for public university libraries, giving them more time to focus on the core business and at the same time provide efficient services to the customer. Libraries can reduce the challenges of ICT outsourcing by eliminating the factors hindering effective services. The libraries must continually monitor and evaluate the services which are outsourced to ensure that the library does not lose focus and is achieving maximum benefits from the services.

As a result, the study makes the following recommendations. It is essential to:

- Strengthen library consortium to address outsourcing challenges and other areas of mutual interest.
- Benchmark the services to facilitate systems acceptance and avoid situations where ineffective systems are outsourced.
- Evaluate the ICT services outsourced regularly to ensure the objectives are achievable.
- Ensure security of data and copyright protection

- Streamline outsourcing guidelines and policies.
- Improve ICT infrastructure by providing remote access through the installation of wireless connections near the libraries, lowering or elimination excise duty to make ICT tools more affordable.
- Develop, publish and communicate ICT outsourcing policy.
- Involve user departments in outsourcing by encouraging their participation in decision-making to allow easy adoption to change and acceptance of systems.
- Train staff on outsourced ICT services.

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Outsourcing information communication technology services in selected public university libraries in Kenya

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Outsourcing is a management strategy that is gradually proving its worth in library and information science. The purpose of this study was to investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges facing libraries in outsourcing ICT services. The study adopted a multi-case study strategy in four selected public university libraries in Kenya. Purposive sampling was used to identify respondents. Data collection was done using a semi-structured interview schedule. The findings reveal that public university libraries in Kenya outsource ICT services such as Internet, e-resources and derive benefits such as cost cutting, knowledge and skills acquisition and economies of scale. The study noted that ICT policies and procurement laws are inadequate in guiding the outsourcing processes. The study found that ICT service processes had various challenges such as high cost and loss of control of the services due to relying heavily on the vendors. The study concluded that there was a need for the library management to be conversant with outsourcing procedures, such as negotiation of contracts, to gain more from outsourced ICT services. The study recommended that the university libraries develop, review and implement ICT outsourcing policies. The university management should involve librarians in the outsourcing process and implementation.

Keywords: Information Communication Technology, Information Systems, Outsourcing, ICT Outsourcing, Public Procurement Act, Public University Libraries.

Introduction and theoretical foundation

This study is largely informed by a theoretical approach provided by Pfeffer and Salancik (2003), Resource Dependency Theory (RDT) and Transaction Cost Theory (TCT) put forward by Coase (1937) and modified by Williamson (1985). Resource Dependency Theory (RDT) theorizes that organizations are dependent on resources that originate from their environment and controlled by other players in the environment. Resource supply depends on the complexity, dynamism and richness of the environment such that a poor environment faces scarce resources. Since organizations depend on the resources in the environment, resources become a basis of power, making legally independent organizations become dependent on others for survival. According to Pfeffer and Salancik (1978), dependence is contingent on how essential the resource is for survival and the degree to which others control the resource. RDT proposes that organizations lacking in essential resources will seek to establish relationships with (i.e. be dependent upon) others in order to obtain needed resources.

Transaction Cost Theory (TCT) predicts when certain economic tasks can be performed by hierarchical governance (in-source) and when they can be performed on the market (outsource) (Williamson 1979). According to Williamson (1985), transaction involves considering all "transactions" as not only the obvious cases of buying and selling, but also as day-to-day emotional interactions and informal gift exchanges. TCT proposes that outsourcing decisions should be made after evaluating transaction costs of producing required infrastructure services internally or buying them externally (Williamson 1979; 2002). Williamson (1985) recommends that decision-makers must weigh up the production and transaction costs associated with executing a transaction within their firms (in-sourcing) versus the production and transaction costs associated with executing the transaction in the market (outsourcing).

RDT considers outsourcing library functions as a strategic decision taken by libraries to secure critical functions for their survival and to fill gaps in their resources and capabilities (Grover, Cheon &Teng 1995). However, in the process of

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outsourcing, those who control the resources required for libraries influence libraries (Pfeffer & Salancik 2003). TCT expands RDT by suggesting that a library has to consider options of whether to in-source or outsource by assessing the transaction costs involved.

Public university libraries rely heavily on the effective and efficient use of ICT to support research and education to remain relevant and competitive. To achieve their objectives, university libraries require technical ICT staff among other resources and facilities. Due to recent technological advances, the trend has been to take advantage of the world of information technology outsourcing in such functions as subscriptions, digitization and automation. Policy makers in public university libraries view outsourcing as a way of securing critical ICT support services. To this extent university libraries have outsourced non-core services such as security, cleaning, and courier services to supplement subordinate library operations (Martin *et al*. 2000).

The term outsourcing originates from the Anglo-Saxon language realm and is an abbreviation of the words "outside resource using" (Weimer & Seuring 2007:149). According to Bordeianu & Benaud (1997) outsourcing is the transfer of an internal service or function to an outside vendor. Many authors (Grover, Cheon, & Teng 1994; Sharpe 1997; Quinn 2000; Rajabzadeh, Asghar & Hosseini 2008) view outsourcing as a form of predetermined external provision by another enterprise for the delivery of goods and/or services that could previously have been offered in-house. The acquiescence definition of outsourcing by the authors is an organization acquiring goods or services from an outside supplier at a fee instead of obtaining the goods or services on their own. Outsourcing is therefore the use of an outside contractor who is paid a fee to perform important parts of library operations/services previously undertaken in the information centers or brought in as new services.

The rapid technological advancement, evolution of the Internet and the availability and adoption of broadband networks has enabled even small and medium enterprises (SMEs) to implement outsourcing strategies (OECD 2008). Organizations practise outsourcing for a wide range of reasons, such as to cut costs, to bring in a skilled and competent work force and to gain a competitive edge over other organizations. Some benefits and challenges are highlighted in the next section.

Outsourcing benefits and challenges

Outsourcing is increasingly being used to reduce costs (Mohammed 2005), gain easier access to expertise (Lacity, Willcocks & Rottma 2008; González, Gascó & Llopis 2010a; González, Gascó, & Llopis 2010b), enable new technological developments (Claver *et al*. 2002) and achieve strategic goals by libraries. University libraries outsource for various reasons, from short-term tactical reasons such as unavailability of skills to long term strategic reasons such as to free resources for other purposes (Lederer & Tucker 2003).

Outsourcing introduces an element of competition (Rajabzadeh, Asghar & Hosseini., 2008; Gupta *et al*. 2005) and enables institutions to avoid risks (technological obsolescence) and variable staffing (Glickman *et al*. 2007; González, Gascó, & Llopis 2010b). Risks, such as liability issues and insurance coverage, can be transferred to the vendor. Additionally, outsourcing allows firms to focus their resources on core competencies as the outside experts assume operational details (Hayes, Hunton & Reck 2000; Smith, Mitra & Narasimhan 1998; Claver *et al.* 2002; Rajabzadeh, Asghar & Hosseini 2008). Outsourcing is a way of acquiring technology without having to make large investments in technology, thus increasing flexibility (Jurison 1995).

There are many challenges associated with outsourcing. Ngwenyama & Sullivan (2005) cite monitoring problems that arise from an inability to specify the scope of the work performed by the vendor, while Nelson, Richmond & Seidman (1996) acknowledge problems of applying penalties and incentives to contracts that depend upon accurate performance measures. Outsourcing may be expensive in the long run since; outsourcing providers may demand greater premiums. For example, Claver *et al*. (2002), Gonzalez *et al.* (2010a) and Miles (1996) specify loss of business knowledge and experience, as the tasks are taken by the contractor's staff who are highly qualified. Over time the organization may become over-dependent on the vendor (Ngwenyama & Sullivan 2005; Slaughter & Ang 1996), resulting in a loss of core competencies and proprietary information. As a result, staff may develop low morale and a feeling of insecurity (Palvia 1995).

According to Ngwenyama (2007), without careful considerations of the various risks associated with outsourcing, any gain can be more than offset by significant losses such as financial loss, individual privacy, data security and loss of ICT expertise.

As libraries outsource they face complex decisions about how to best engage alternative outsourcing options in ways that leverage their benefits and protect the public universities' interests. They create policies and processes that help individual libraries make effective outsourcing decisions.

Overview of outsourcing in libraries

Outsourcing in academic libraries has existed on a moderate scale for years, but its popularity as an alternative to direct in-house services grew rapidly in the 1960s and again in the 1990s (Benaud and Bordeianu 1998). The libraries mainly outsourced non-core services in peripheral areas such as security, maintenance and courier services. In the 1980s, some cataloguing functions began to be outsourced (Benaud and Bordeianu 1998). Libraries contracted with vendors for the provision of retrospective conversion of records, and they began buying indexing and magazine articles from H.W. Wilson Company and book cataloguing information, in card form, from Library of Congress (Martin *et al.* 2000). For instance, the Wright State University in 1993 outsourced its cataloguing department (Martin **et al**. 2000) and such trends have been followed even in recent years.

The early 1980s saw most Commonwealth countryies' universities turning to outsourcing as a way to do more with less when they were faced with shrinking financial resources coupled with a need to expand their enrolment (Ball *et al.* 2002). A survey done by Lund (1997) on outsourcing among 102 universities of the Commonwealth cited reasons for outsourcing as: lowering of costs at 49%, improving quality of service 26%, and 13% cited the growth of staff. In addition, findings indicated services outsourced including building design, construction, project management, cleaning, catering and operating bookshops.

In the UK, outsourcing became a trend in libraries in the 1990s and was much more extensive, including bookselling, Library of Congress cards, and computer maintenance for many years (Ball *et al.* 2002). Many public university libraries in the UK have outsourced preservation and collection development (Ball *et al.* 2002) and outsourcing of technical services is on the rise. Currently ICT outsourcing is on the rise with libraries venturing into Knowledge Processing Outsourcing (KPO) (Samulevicius & Samonis, 2006)

Outsourcing studies in Kenya are not as advanced as in countries like the USA, UK, South Korea and Australia, which have recorded the largest amounts of published literature as revealed by a study conducted by Alsudairi & Dwivedi (2010). This study sought to investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges facing libraries in outsourcing ICT services.

2. Problem and purpose of the study

Information Communication Technology is an enabler of university research, innovation and educational competitiveness. University libraries, being the epicenter of the university system, need strong ICT technical staff able to provide quality services to the university community. Unfortunately, the majority of Kenya's top librarians have been equipped with a traditional set of library skills centered on the acquisition, organization and preservation of print-based information sources. Ondari-Okemwa (2000) and Ocholla & Bothma (2007) share the view that facilities for training librarians in Kenya were inadequate and not well maintained, and that the ICT skills taught to students was more theoretical than practical. Furthermore, even those equipped with the ICT knowledge move to alternative professions, leaving a vacuum in libraries. The nature of ICT services is such that constant changes occur at a faster rate, requiring staff to upgrade their technical skills continuously.

ICT is a prerequisite for driving the library in the right direction, being the heart of the university, as well as providing users with quality services. Due to the increased demand for Web-based information resources by users, librarians are compelled to outsource ICT services as a way of securing critical ICT services to complement the traditional library and information services and enhance their service delivery.

Outsourcing ICT brings with it enormous benefits to the library, such as cutting costs. However, in the case of public university libraries in Kenya, the outsourcing processes are not delivering the required benefits owing to various challenges. ICT outsourcing models in Kenya are scarce, with procedures that are fragmented. There are no empirical studies in the area to drive policies and procedures. It is with regard to the above that this study sought to investigate the outsourcing of ICT services in selected public university libraries in Kenya in order to establish the challenges experienced in outsourcing ICT services. The objectives of the study were to: examine the range of ICT services outsourced by selecting public university libraries in Kenya, review the legal and infrastructure framework for outsourcing and establish the challenges associated with outsourcing ICT services in public university libraries.

3. Methodology

A qualitative study adopting a multiple case study strategy was used. The study was conducted in four selected public university libraries in Kenya. Among the universities chosen the units of analysis were the university libraries, namely; Moi University Library (MUL), Kenyatta University Library (KUL), Jomo Kenyatta University Library (JKUL), and the University of Nairobi Library (UOL). The choice of libraries was based on their size, the history of the university and the adoption of ICT in the provision of library services.

The study purposefully selected 40 respondents comprising senior university managers, librarians, ICT Directors and vendors involved in outsourcing as shown in Table 1 below.

Table 1 Sample size and framework

Respondents	MU	KU	UoN	JKUAT	Total
Deputy Vice-Chancellor, Finance	1	1	1	1	4
Director of ICT	1	1	1	1	4
University Librarian	1	1	1	1	4
Systems /ICT Librarians	1	1	1	1	4
INASP Representative	1	1	1	1	4
Acquisition Librarians	1	1	1	1	4
Reference Librarians	1	1	1	1	4
Cataloguing Librarians	1	1	1	1	4
Circulation Librarians	1	1	1	1	4
Vendors	1	1	1	1	4
TOTAL	10	10	10	10	40

Data was collected using semi-structured interview schedules administered to the library management staff, IT managers, and university administrators. Qualitative analysis was applied complemented by quantitative analysis. The raw data obtained was scanned and sorted into different types to enable the researcher to establish categories through a coding process, which was done manually.

The study was limited to the public university libraries; therefore some of the findings may not be generalized to the private universities.

4. Results and discussions

This section presents the findings on the range of ICT services outsourced, the legal and infrastructure framework in outsourcing and the challenges associated with outsourcing ICT services in public university libraries.

4.1. ICT services outsourced by libraries

The study's objective was to explore the range of ICT outsourced by the Libraries. The respondents, who comprised the Deputy Vice-Chancellor in charge of Finance, Director of ICT, University Librarian, Systems /ICT Librarians, INASP Representative, Acquisition Librarians, Reference Librarians, Cataloguing Librarians, Circulation Librarians, were asked to provide information on the type of ICT services outsourced.

The study established that the ICT services outsourced by all four university libraries included e-resources, the Internet, automation and training. Among the services outsourced, resource acquisition was outsourced under joint ventures, while others, such as security, digitization and web-based references, were outsourced from different vendors.

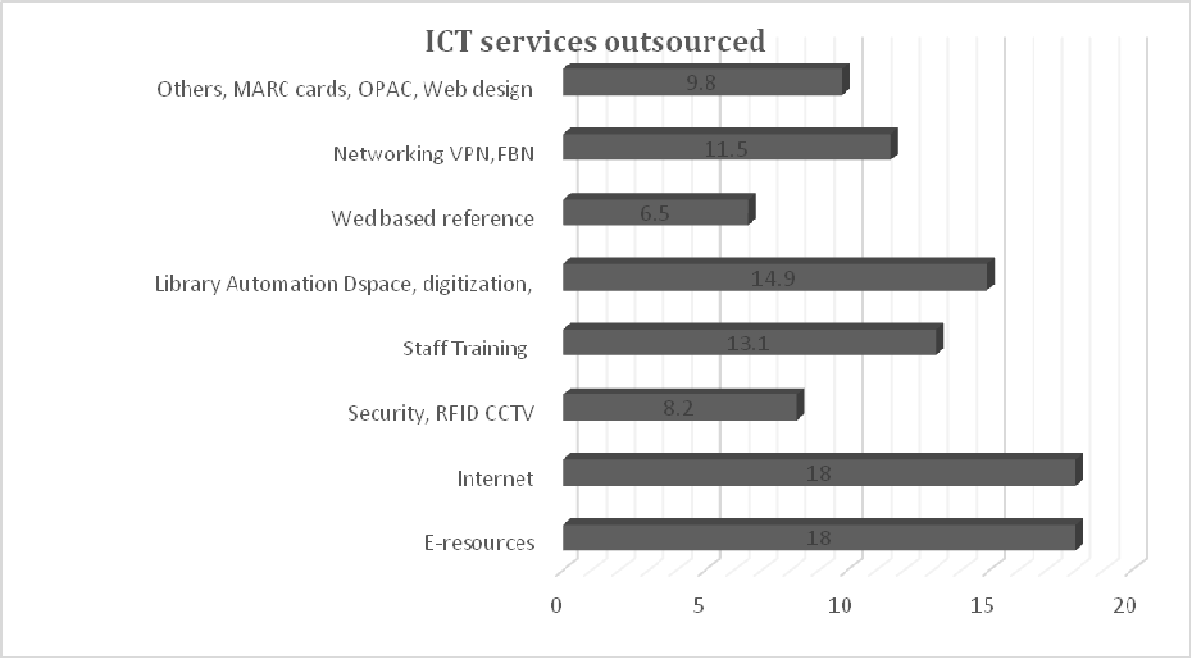

Figure 1: ICT services outsourced by the Public University libraries

The above table indicates the range of ICT services outsourced by public university libraries in Kenya. E-resources and the Internet are the dominant services outsourced by all the libraries. This is attributed to the fact that they signify the core business of the university, which is to provide information to users.

E-resources

All the libraries had outsourced e-resources through the Kenya Library and Information Services Consortium (KLISC) of which they were members. The Consortium works with PERii (Programme for Enhancement of Resource Information) and the International Network for the Availability of Scientific Publications (INASP) programme to get in touch with the publishers and provide feedback to the country representative(s). PERii sources services and then passes the requests to INASP. Libraries outsource the resources through INASP

The study found that the E-resources were the most outsourced ICT services, at 18%, because they were critical to libraries' providing users access to current and up-to date information using the state of the art technology. It was also cheaper to outsource due to economies of scale. Additionally, the individual library lacked the skill and technical capability required to host such an enormous ICT project. The study attested that the libraries contracted vendors specializing in the area of ICT; hence, they were knowledgeable and experienced in the respective areas of providing e-resources and the Internet. Petry-Eberle & Bieg 2009 affirm the findings of the study: they state that in the expansion of the demand for online resources, subscriptions are taken over by a portfolio of licensed online resources and internal alliances formed to jointly acquire electronic resources online.

Internet Services

Public university libraries all outsourced Internet services at subsidized prices from the Kenya Education Network (KENET) as rated at 18%, the same level as e-resources. The four university libraries had contracted KENET to provide Internet services as claimed by librarians:

> The library has outsourced from KENET because the university is not an Internet Service Provider and normally the requirement to be an ISP is that you have to buy a bulk bandwidth and it is easier to outsource from an INASP.

Virtual Private Network and installation of Fibre Backbone Network

This service had an 11.5% rating. Moi University had outsourced Virtual Private Network (VPN) and installation of the Fibre Backbone Network (FBN) services from Safaricom Ltd., (a leading mobile network operator in Kenya). VPN enables internal communication within the campus. This was outsourced because the university has no capacity to install a VPN and therefore the service is outsourced to Safaricom.

Installation of FBN connects the buildings, such as the schools and the students' centre, to the library. The library outsourced the service because it required expensive equipment for terminating and installing the fibre.

Library automation

All the libraries had outsourced the automation of the library, albeit from different vendors and rated at 14.9% with projects such as digitization and OPAC. KU and JKUAT had an outsourced implementation of open source software (LibLime KOHA). Though KOHA is an open source, KUL had contracted vendors to help in its implementation due to a lack of staff with the capabilities to implement the service. The University of Nairobi had outsourced their Library Management System (LMS) (Vubis Smart), from the University of Brussels and relied on a vendor for the maintenance of the system. The library had no staff with the skills to maintain the system and still completely relied on the University of Brussels.

Moi University Library had outsourced open source software, Automation of Libraries and Centre's Documentation (ABCD) system from Belgium. The Library initiated the project in 2010 and it was still operating at the time of compiling this report. The Library outsourced the system because it was well developed and was better than the other options the library had envisaged, as it was more cost effective than an in-house developed system. As explained by a respondent:

> The system was much cheaper to outsource than developing one internally, besides development and implementation of the system was facilitated by a donor making it easier to acquire the system.

Although most of the LMS was open-source software, the staff lacked knowledge to implement the systems and therefore relied on vendors to train them. A large proportion (three) of the libraries expressed dissatisfaction with the way their respective libraries outsourced various LMSs. Universities contracted various suppliers without benchmarking with the pioneer organizations. This concurs with Benaud & Bordeianu (1998) findings that even though academic libraries typically acquired off-shelf systems they still engaged in partial outsourcing. The majority of the public university librarians lacked the skills to develop an LMS in-house and it was cheaper to outsource than to develop one internally.

OPAC is an online database of materials held by a library or group of libraries. All libraries had commissioned vendors to set it up for them.

DSPACE is software used in automating resources. It is a software package for creating open-access repositories for scholarly and published digital content. The study revealed that MUL and KU libraries were in the process of converting their printed research and scholarly work in repositories and were considering using DSPACE or were using it. Moi University Library (MUL) had used the software to preserve and share academic research. However, at the time of the study, the library had suspended its use, citing logistic reasons. KU library was in the process of outsourcing the implementation of DSPACE for lack of internal staff with the necessary skills.

The study found that libraries also used vendors to digitize their Institutional Repositories; for instance, the University of Nairobi was in the process of engaging a firm (Digital Divide Data (DDD)) to digitize their institutional repositories. Kenyatta University Library was in the process of digitizing their library resources starting with all the past examination papers.

The study revealed that libraries outsourced LMSs since it was cheaper than developing them in-house. Developing an LMS is an expensive, costly and time-consuming affair that requires IT skills and knowledge of issues of systems design and development. The study findings are in line with Benaund & Bordeinu's 1998 study, which asserts that academic libraries choose to outsource rather than develop the systems in-house and employ several levels of outsourcing such as complete outsourcing or partial outsourcing.

Training staff in ICT

To enhance competency in staff skills, all the public university libraries had outsourced staff training; most librarians lacked skills in ICT areas. This occasioned the need to train staff to enable them to carry out routine maintenance and implementation of certain ICT projects.

All four libraries had engaged vendors specialized in areas such as digital and institutional repositories to train library staff, rated at 13.1%. Areas of training included record-keeping at UoNL, ICT courses such as CISCO, LINUS, Oracle and Dbase from certified organizations by MUL, and maintenance of ICT technologies by all four libraries due to a lack of ICT technical skills.

According to Bersin and Associates, 2004, outsourcing the training of staff is drawing attention today because of the value it brings to the organization. Training helps the managers focus on strategic priorities and more important high-level activities freeing up resources to focus on measurement, evaluation, and operational excellence in training programs themselves. Therefore, when there was a need to train staff in certain skills, the option that the library chose was to identify a supplier who could offer the necessary training and outsource the services.

Security

All the libraries had different methods of securing information: for example, by the use of Closed Circuit Television (CCTV) outsourced by the JKUAT library through 3M, Radio-frequency identification (RFID) by KU and the use of guards

at the University of Nairobi library using a security firm to safeguard their facility. This had an 8.2% rating. The findings concur with Debar & Viinikka's (2006) study that recommended the security of information as an area that may be outsourced.

Web-based reference services

Of the four libraries, Moi University Library and the University of Nairobi had contracted this service out. This earned a rating of 6.5%. Moi University Library collaborated with Indiana University, having the latter carry out reference searches for the former. The University of Nairobi worked with the British Library to have articles from certain journals delivered to them at a fee as indicated by the acquisitions librarian.

The study revealed that two of the libraries had not outsourced document-searching services and were not providing it internally. The study attributed this to librarians' lack of knowledge in web reference systems, forcing them to continue using traditional modes of reference services. Web-based reference, or an online reference, is a relatively new addition to library services that is gaining wide popularity in public and academic libraries (Sajeev & Ramingwong 2007). Web-based reference services require a network of ICT expertise, intermediation and resources placed at the disposal of someone seeking answers in an online environment, lacking in many libraries.

Other outsourced services

Other services the libraries outsourced (rating 9.8%) included:

- MARC bibliographic records. All four libraries were using LC MARC Record and tags for copy cataloguing bibliographic data.
- Provision of photocopying services is one of the major methods used by libraries to make copies of text, photographs and other printed documents. The study revealed that JKUAT library had photocopying services outsourced to a vendor; Moi University on the other hand was providing the service internally.
- It also revealed that JKUAT library was outsourcing lift maintenance to 3M Company.
- Printing of library cards.

The findings indicate that Kenyan university libraries outsourced ICT services which were selected based on certain factors. Libraries would outsource if the service was not within the library's core competency, where skills were lacking, to gain economies of scale and if the service was cheaper to acquire from a vendor than in-house sourcing. Services predominantly outsourced by all the libraries included the Internet, e-resources, training and LMS. This can be explained by the fact that these services were very crucial to the library and, due to financial constraints, library management had to find strategic ways of acquiring the resources at affordable costs. The study confirmed the views of related studies (Claver *et al*. 2002; Rajabzadeh 2008) that ICT outsourcing is preferred to allow management the control of their core activities and allow a firm to focus its resources on those activities that are considered its strengths, often referred to as core competencies.

4.2 Policy and legal framework guidelines for outsourcing services

The second objective was to review the legal and infrastructure requirements in ICT service outsourcing. The respondents were asked what policies and legal frameworks were applied in ICT outsourcing. Legal and regulatory measures utilized by the libraries in outsourcing procedures included ICT policy, procedural manual and service level agreement. These were to outline and guide the outsourcing processes. However, the study revealed that there were variances in the way the libraries operated, as shown in Figure 2.

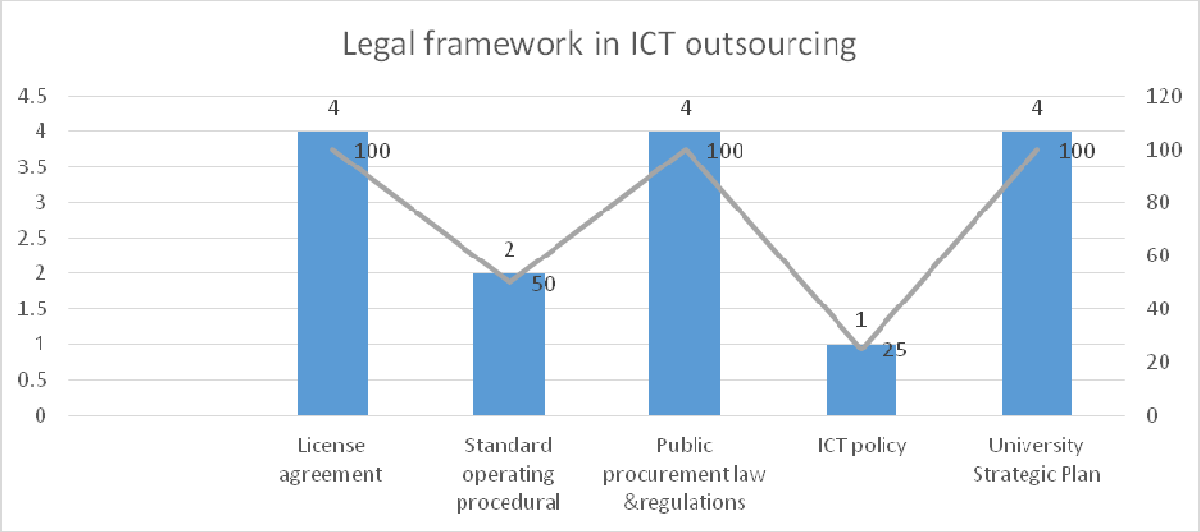

Figure 2: Legal and infrastructural frame work in outsourcing

The Public Procurement and Disposal Act of 2005

The Public Procurement and Disposal Act of 2005 contains the rules and procedures for the procurement of services, including the outsourcing of services in the Kenyan public sector (Republic of Kenya 2005). The study found that all libraries applied this Act in procurement. Although the libraries used procurement regulations, they did not cover all aspects of outsourcing. Procurement laws in use were inadequate in elaborating issues of outsourcing.

Libraries utilized the Public Procurement and Disposal Act of 2005 to select the vendor to award a contract based on the lowest bidder, in compliance with the Procurement Act. Section 66 (4) of the PPDA Act states that the successful tenderer shall be the one based on the evaluated price. The lowest bidder thus gets preference to everyone else. This in itself is a setback to attain the best value for money. The study attested that awarding contracts based on low prices does not guarantee that the services will be good or that the library will get ICT services that are tailor-made to address specific needs of customers. The study declared that this mostly resulted in selecting unqualified bidders, since the main criteria was the lowest bidder, suggesting that libraries did not always get the most qualified bidder.

Other areas where the Act was not strictly followed was the extent of library (user department) involvement in selecting a vendor. The study found that, while in UoNL Library librarians were involved in making decisions about some of the ICT services to be contracted, in others, namely MUL, JKUL and KUL libraries, there were minimal consultations, which left these librarians feeling let down. In two of the libraries, ICT outsourcing decisions were taken in consultation with the ICT Directorate. For example, in its draft ICT Policy, Moi University Library had a clause stipulating the following:

> The user department shall be allowed to outsource only in consultation with the ICT Directorate and only if the service cannot be provided by any other organ of the University.

Although all the libraries used the Public Procurement and Disposal Act in the outsourcing process, the Act was rigid and did not favour ICT outsourcing. For instance, according to Section 26 (1) of the Act, public entities have the authority to establish procurement procedures. This resulted in differences with regard to procurement processes, thereby defeating the purpose of the Act, which aims to standardize procurement across all public entities. The freedom to establish their own procurement procedures means that libraries are likely to treat identical situations differently. For instance, while the University of Nairobi allowed single sourcing when procuring books, the study observed that different procedures already existed in relation to outsourcing IT services.

Moreover, library ICT services outsourcing poses some intricacies compared with procurement of other goods, because the supplier owns not only the facilities but also the assimilation of the ICT service into the organizational environment of the outsourcer. For e-resources, the authors present divergent ideas and may choose to publish their work with different publishers, making it impossible for libraries to adhere strictly to procurement laws, which explains why such libraries as the University of Nairobi were not strictly following the procurement rules when acquiring books and e-resources.

Related studies (Katila, Rosenberger & Eisenhardt 2008) agree that a client must not focus too narrowly on a single, isolated process when making an outsourcing decision, because it can be dangerous and risky. They recommend that choices be made only after weighting considerations such as a net gain or loss in efficiency, the cost-effectiveness of using outsourcing, and dependence created by a third party outsourcing.

The study concluded that a successful ICT outsourcing application requires that the users, project managers and technical personnel be intimately involved in the development process to allow for staff project ownership and effective implementation. Other studies (Behara, Gundersen, & Capozzoli 1995; McCarthy 1996; Lankford & Parsa 1999; Katila, Rosenberger & Eisenhardt 2008) agree that suppliers who have a good understanding and an interest in the outsourcing firm's business will be better positioned to help define mutually beneficial goals. This will enable the library to outsource services in line with its objectives.

Table 2 Summary of the policy and legal framework guidelines applied in outsourcing services by university libraries

Legal/Regulatory framework	KU	MU	UoO	JKUCAT
Public Procurement and Disposal Act				
ICT Outsourcing policy	×	Draft format	×	×
Procedural manual	×	Draft format	×	×
Service legal agreements				
University strategic plan				

ICT outsourcing policies and procedural manual

All four university libraries lacked outsourcing policies; three had drafted policies that mostly covered acquisition generally, while one did not have any. Moi University had a draft policy that had not been ratified by the University Council. The University of Nairobi did not have an outsourcing policy, although they had a draft Collection Development and Acquisition Policy.

All libraries lacked operational ICT procedural manuals. Only Moi University's ICT Directorate had drafted ICT Procedure Manual. ICT policy and procedure manuals outline and guide the outsourcing processes. A procedure manual promotes adoption of the process approach to activities being performed, thus ensuring that the objectives of the service are achieved. The study by Khalfan (2003) supports the importance of standard operating procedures in an organization and views a lack of them as contributing to the failure of ICT outsourcing projects. The study concluded that due to the absence of procedural manuals inconsistencies occurred, such as libraries dealing with ICT outsourcing on a case-to-case bases.

Service Level Agreements

The four university libraries usually signed service level agreements and would engage the services of a lawyer for legal interpretation when drawing up a contract between the library and the supplier. Signing of a service level agreement made the contract legal and binding. Its purpose is to evaluate the services in certain cases. The study found out that only two of the libraries used the contractual agreements signedto assess the performance of the suppliers

Due to obscure outsourcing procedures, libraries evaluated and implemented opportunities for outsourcing on a case-by-case basis and lacked coordinated strategic planning across the functions and services. There appeared to be wide variances on how libraries understood, interpreted and applied the legal and operational procedures. The study attested that laws governing public procurement were not effectively utilized in outsourcing ICT services, and therefore did not produce the desired results.

4.3 Challenges associated with outsourcing ICT services

The study found that the laws governing public procurement, though utilized in outsourcing ICT services, did not produce the desired results, resulting in various challenges as indicated in Figure 3 below,

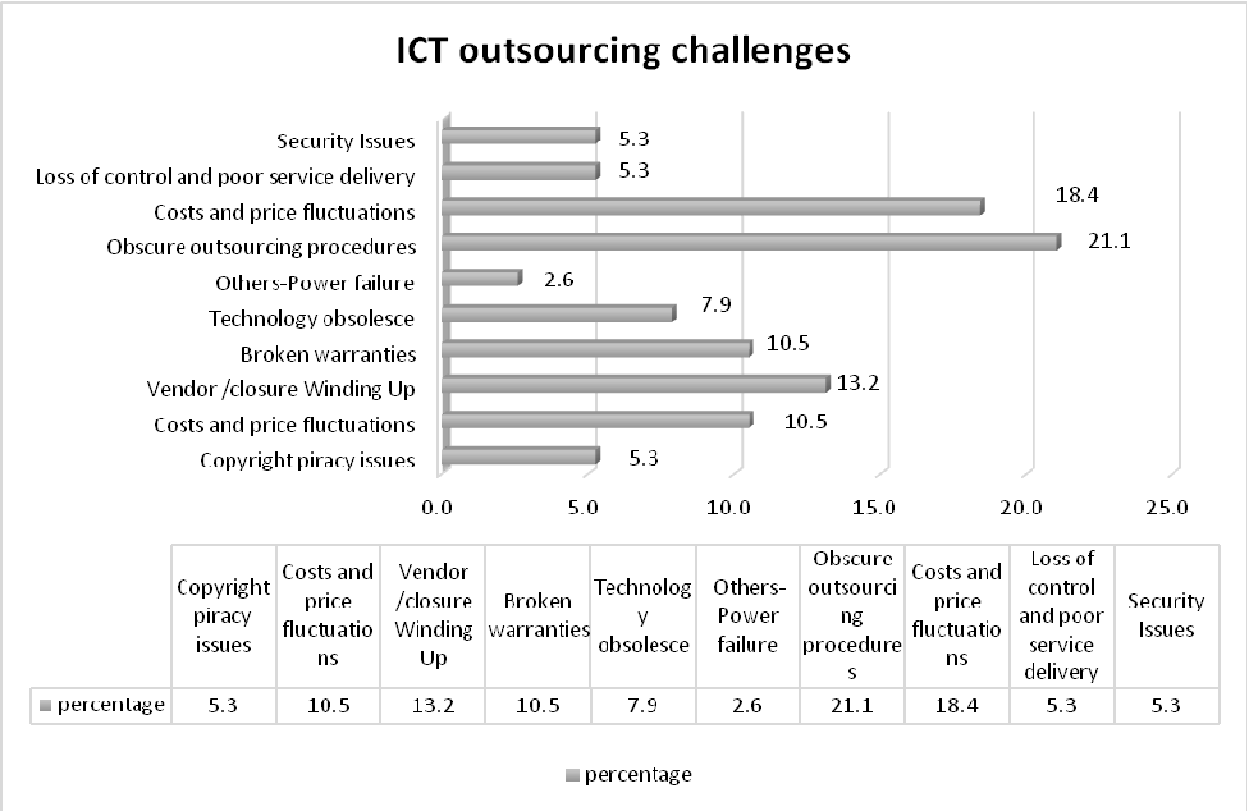

Figure 3: ICT Services Outsourcing Challenges

(a) Obscure outsourcing procedures. Libraries evaluated and implemented opportunities for outsourcing, often on a case-by-case basis as indicated by 21.1% of the responses. They lacked coordinated strategic planning across the functions and services. The procurement law was not effective in guiding ICT outsourcing processes as supported by studies such as Amemba *et al.* (2015: 273). Libraries selected vendors based on the lowest bidder, thus contributing to the selection of unqualified suppliers. There was a consensus among the respondents from the four libraries that the lack of policies and a legal framework was a major challenge. The study found that libraries lacked documented and approved outsourcing procedures as well as standard operating procedures, causing confusion.

(b) Cost of services and price fluctuations came second, rated at 18.4%. In many cases the budget allocated to libraries remained the same despite ICT services, prices being on volatile pace as supported by studies such as Kavulya (2006). This was a challenge which has led to the creation of numerous hedging strategies such as continuous negotiations and entering into a library consortium due to the unpredictability of ICT services for outsourcing price levels. Moreover services such as e-resources are not all localized in nature, contributing to market participants' lack of a better feel for demand levels, finding it hard to sustain the services.

(c) Vendor closure and broken warranties (13.2% and 10.5%). This was a challenge that libraries encountered when suppliers closed shop, either because of a change of business or lack of finances to sustain their business. For example, Moi University had contracted the Wantech Company to oversee radio communication between its campuses. Wantech went into liquidation, leading to a breakdown of equipment because the vendor had not trained library staff on maintenance. This affected the services that the library provided.

(d) Change of technology. The respondents (7.9%) admitted that constant change in technology requires librarians to keep upgrading their facilities, which was a challenge to libraries. For example, while the University of Nairobi was still using a manual security system, Moi University and Kenyatta University were outsourcing RDIF, a current technology. Jomo Kenyatta University of Science and Technology Library was using CCTV. Due to constant technological changes, librarians had to constantly deal with inadequate technology posing inadequate quality service delivery

(e) Security and copyright issues in ICT outsourcing: The Library entrusts its data to the supplier, especially with regard to ICT services. As a result, the library had challenges in dealing with matters of data security (5.3%) and copyright (5.3%). For instance, copyright issues arose when Moi University digitized its academic research reports, because some students

plagiarized the works. The Library withdrew the service and is now considering outsourcing DSPACE that is more reliable. University of Nairobi Library is drawing up an open access policy to deal with copyright issues. However, it has challenges in enforcing that policy so that anyone who either has used the university to carry out research or funded by the University deposits the resulting document in the university repository.

(f) Loss of control of the services (5.3%.). This was associated with the fact that not many suppliers provided full disclosure about their services. For example, some parts of the ABCD software's documentation that Moi University Library had outsourced from Belgium were in Spanish. This forced the library to keep relying on the supplier for the support of the system. This resulted in the library essentially losing control and relying heavily on the vendor. The study confirmed that in some instances the vendors had preyed on the librarians' ignorance through overcharging certain services and refusal to provide full disclosure of the services. The study concluded that the library essentially lacked control of some outsourced services because staff were incapable of performing the services without the vendor. Similar studies (Slaughter & Ang 1996; Antonucci, Lordi, & Tucker 1998) noted that the nature of outsourcing creates a dependence on the provider firm with a consequent loss of independence because the outsourced department is no longer readily available for use in management training, preventing the creation of easy familiarity with that function.

(g) Others (2.6%) included low access and connectivity due to bandwidth, which determines the efficiency of Internet connections in the libraries. The study found that the Internet bandwidth connections of most libraries are too low for them to enjoy most of the available e-resource services and online academic facilities. The poor state of Internet connectivity affects the information needs of the clientele as it hinders access to information. Besides, the study found that the high cost of Internet connectivity posed a challenge to the university libraries, meaning that many users had no access. Additionally, interrupted power supply and power fluctuations adversely affected access by users to the services outsourced.

A study (KENET 2010) supports the findings, observing that the higher education community, especially the university community in Kenya, is ready to use ICT for learning, teaching, research and management. However, the institutional leadership appeared not to have recognized ICT as a strategic priority for transforming these activities. Consequently, institutions were allocating low operational budgets to ICT, did not invest adequately in campus networks, and did not have strategies for building the capacity of faculty to use ICT effectively to support their teaching and research activities (KENET 2010).

5. Conclusions

Based on the findings, the study found that all the libraries practiced ICT outsourcing for services such as e-resources, the Internet, training of staff, web-based referencing computer network infrastructure, library automation, web designing, OPAC and security, that were critical services. Consequently, the study found that public university libraries outsourced to allow them to address perceived deficiencies in their own resources and capabilities.

The study alluded to the fact that due to obscure outsourcing procedures, libraries evaluated and implemented opportunities for outsourcing on a case-by-case basis and lacked coordinated strategic planning across the functions and services. There appeared to be a wide variance in how libraries understood, interpreted and applied the laws. The laws governing public procurement, though utilized in outsourcing ICT services, did not produce the desired results, resulting in various challenges. The study found that the challenges that the libraries were facing included a high cost of services, obscure ICT outsourcing processes, loss of control and vendor closures and broken warranties.

The study concluded that it is critical that public university libraries understand the challenges that can contribute to ICT outsourcing failure. In order to reap as many benefits as possible from outsourcing, it is essential for libraries to utilize a solid legal and infrastructure framework approach in managing outsourcing process. Such a regulatory framework may pave the way for a secured and successful ICT outsourcing with proper management and strong enforcement of policies and procedures.

ICT outsourcing holds great promise for public university libraries, giving them more time to focus on the core business and at the same time provide efficient services to the customer. Libraries can reduce the challenges of ICT outsourcing by eliminating the factors hindering effective services. The libraries must continually monitor and evaluate the services which are outsourced to ensure that the library does not lose focus and is achieving maximum benefits from the services.

As a result, the study makes the following recommendations. It is essential to:

- Strengthen library consortium to address outsourcing challenges and other areas of mutual interest.
- Benchmark the services to facilitate systems acceptance and avoid situations where ineffective systems are outsourced.
- Evaluate the ICT services outsourced regularly to ensure the objectives are achievable.
- Ensure security of data and copyright protection

- Streamline outsourcing guidelines and policies.
- Improve ICT infrastructure by providing remote access through the installation of wireless connections near the libraries, lowering or elimination excise duty to make ICT tools more affordable.
- Develop, publish and communicate ICT outsourcing policy.
- Involve user departments in outsourcing by encouraging their participation in decision-making to allow easy adoption to change and acceptance of systems.
- Train staff on outsourced ICT services.

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Information Literacy (IL) learning experiences: A literature review

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This paper is a review of extant literature on information literacy. The study reports literature on IL learning experiences in institutions across the globe. It also discusses the spectrum of literacy to give information literacy a context. Furthermore, the paper presents an overview of IL learning initiatives in academic environments in developed and in developing countries, and concludes that there are more IL activities in most developed countries except parts of Europe as compared to developing countries. In Africa, despite infrastructural, technological and personnel challenges, many countries have significant IL learning initiatives at individual universitiy levels, except in South Africa where there are several initiatives that are national and regional. The paper demonstrates that although IL is gaining attention in universities in Africa as a critical aspect of higher education learning, a lot needs to be done to expedite the process in terms of policy guidelines and resources to ensure adequate equipment and trained personnel. The study is important in informing trends of information literacy development and implementation in academic environments in both the developed and developing countries for comparison.

Keywords: Information literacy, learning experiences, literature review

1. Introduction

Increasingly, higher educational institutions the world over and library professional associations have recognized information literacy (IL) as an important tool to equip students with skills to be effective users of information. Effective use of information will require skills that enable a student to think and make informed decisions and choices. The rapid technological changes have resulted in an unprecedented growth in the amount of information being produced, and in varied formats. The masses of information at one's fingertips require that users have the knowledge and skills to identify quality and reliable information. Institutions are consequently introducing information literacy programmes in their curricula in a bid to address the situation (Maybee 2006; Baro & Zuokemefa 2011).

As the IL momentum increases, it becomes imperative to understand the learning experiences of students because learning experiences provide an indication of which learning interventions may be needed to achieve desired end goals and outcomes of an education system (Gallagher 2011). Such interventions are critical in current times where there is a growing student-focused approach to learning (Ertl *et al.* 2008). Furthermore, Bruce and Partridge (2011:1) found that research on information experiences opens ways of understanding and interpreting how people engage and interact with the information environment. Whereas learning to be information literate implies an end to a process, information literacy learning implies a continuum.

This paper reviews studies that focus on information literacy (IL) learning experiences. The paper compares various IL initiatives in Africa with the rest of the world, with a focus on how universities are involved. The paper discusses the definition and development of the concept of information literacy, the spectrum of literacy, information literacy conceptions and learning experiences of students, information literacy initiatives and IL learning challenges in higher education. Both empirical and theoretical literature is reviewed.

2. Definition and development of the concept of information literacy

The concept of information literacy has been defined and interpreted in various ways since its inception in the nineteen seventies. Different terms have been used to refer to information literacy, including: information skills, library skills, research skills, study skills, bibliographic instruction, library orientation and information competency (Johnson 2001). The term 'information literacy' was first used by Zurkowski (1974), in a proposal to the national communication on libraries and the National Commission on Library and Information Science (NCLIS) in 1974. In his report, he stated that information literates were people trained to apply information as a resource to their work, especially those who had learned techniques to use information as tools to find solutions to problems at their workplaces (Zurkowski 1974).

The report declared the establishment of a national programme to achieve universal information literacy by 1984. As opposed to library or bibliographic instruction that concentrated on teaching the use of library tools to access information, the IL concept grew as a response to the expanding variety of information formats that made information

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available to students outside the library. There was a need to prepare students in a manner that was not limited to a particular format or physical library.

IL has been defined by several authors from different perspectives. A few of these definitions are highlighted briefly, in chronological order. After Zurkowski's application of the term in 1974, the seminal event in the development of the IL concept is traced back to the American Library Association's (ALA) Presidential Committee on Information Literacy, formed in 1987. The final report of the committee declares: "to be information literate a person must be able to recognize when information is needed and have the ability to locate, evaluate, and use effectively the information obtained" (ALA 1989:para 3). The definition in the American Library Association's Final Report (1989) has been widely accepted, leading to a renewed emphasis on information literacy in all education sectors (Bundy 2002). ALA's definition sees IL as an important tool, both for academics and life beyond the academy.

The Chartered Institute of Library and Information Professionals (CILIP) defined IL in similar terms as ALA, by declaring that being information literate was "knowing when and why you need information, where to find it, and how to evaluate, use and communicate it in an ethical manner" (CILIP 2011:para 1). This definition implies skills that include an understanding of a need for information; the resources available; how to find information; the need to evaluate results; how to work with or exploit results; ethics and responsibility of use, how to communicate or share your findings and how to manage your findings. Similarly, the Center for Intellectual Property in the Digital Environment (CIPDE 2005) describes information literacy as a way of thinking rather than a set of skills, emphasizing critical and reflective capacities, as well as disciplined creative thought, that impels the student to range widely through the information environment. When sustained through a supportive learning environment, information literacy can become a dispositional habit of mind that seeks on-going improvement and self-discipline in inquiry, research and integration of knowledge from varied sources (CIPDE 2005:viii-ix).

An information literate person therefore goes beyond merely acquiring a skill and being able to apply it, but includes understanding and evaluating information before appropriately using it. As the information environment keeps changing, especially as affected by technological changes, the specific definitions of IL also change. However, the key elements of IL remain and are only modified to reflect the changing information environment and give emphasis to certain aspects. The wording of the definitions will also change, but the meaning remains the same. There is a strong link between information literacy and literacy in general. Many other literacies form part of the literacy system.

2.The literacy spectrum

Literacy is a concept that seems easily understandable, yet it is as complex as it is dynamic. Rassool (1999) observes that the definition of information literacy changes over time, as society transits from one socio-historical or ideological or technological ambient to another. According to the *United Nations Educational, Scientific and Cultural Organization* UNESCO (2006), literacy is described in the form of four understandings: first that IL literacy is an autonomous set of skills. The skills include reading, writing and oral expression. The second understanding includes literacy as applied, practised and situated. The third understanding describes literacy as a learning process and the fourth describe literacy as text.

2.1 Basic literacy

Basic literacy includes alphabetic literacy and is also referred to as functional literacy (Nutbeam 2000). According to Lemke (2012), basic literacy refers to language proficiency and numeracy at levels necessary for success on the job and in society. Similarly, Nutbeam (2000) describes basic literacy as acquiring sufficient basic skills in reading and writing to be able to function effectively in everyday situations. Looking beyond grammar and semantics, Kagitcibasi, Fatos and Gulgoz (2005) agreed with Rassool's reasoning that functional literacy requires that people are competent to read, speak and understand a language.

2.2 Library literacy

For a long time the library has sought ways to help its users get the information they need in an effective and efficient manner. Terms used in literature for these efforts include *Library instruction, User education, Bibliographic instruction* and *Library orientation* (Fatzer 1987; Bawden 2001). According to Bell (1990:32), library literacy refers to "the acquisition of a range of skills relating to identification of and familiarity with sources and information seeking processes, usually through formal bibliographic instruction and informal user education." Furthermore, Fatzer (1987) regards library literacy as being beyond acquiring specific skills that enable one to get resources in a library. She defines library literacy as being able to follow a systematic path or search strategy to locate information resources and evaluate their relevance with regard to the search topic.

2.3 Digital/Information Communication Technology (ICT) literacy

It is becoming increasingly difficult to discuss information literacy and not mention technology. Digital technology has permeated most spheres of life and learning is not an exception. Gilster (2007) defines digital literacy as the ability to understand and use information in its multiple formats, from a wide range of sources when it is presented via computers. According to the International ICT Literacy Panel (2002:2), ICT literacy is using digital technology, communications tools and/or networks to access, manage, integrate, evaluate, and create information in order to function in a knowledge society. This definition reflects a broad understanding of the concept, incorporating critical thinking and problem-solving skills alongside the application of technical skills and knowledge covering simple to complex tasks. Furthermore, both IL definition and ICT literacy definition include the important aspect of evaluation, the ability to ensure the information accessed addresses the information need in question. The emphasis of ICT literacy is on the integration of technical skills with cognitive skills. This is summarized by Martin (2005:135-6), who defines digital literacy as:

> the awareness, attitude and ability of individuals to appropriately use digital tools and facilities to identify, access, manage, integrate, evaluate, analyze and synthesize digital resources, construct new knowledge, create media expressions, and communicate with others, in context of specific life situations, in order to enable constructive social action; and to reflect upon this process.

Martin's definition highlights three important aspects of understanding digital literacy: social awareness, critical thinking and knowledge of digital tools.

After analysing the various definitions of digital literacy and new literacies in literature, Belshaw (2012) describes what he calls eight essential elements that he believes best define digital literacy. They are: *Cultural* – the need to understand the various digital contexts an individual could be in, *Cognitive* – understanding that literacy is about expanding the mind; *Constructive* – ability to create something new; *Communicative* – an understanding of how communications media work; *Confident* – understanding that the digital environment can be more forgiving with regard to experimentation than physical environments; *Creative* – understanding that there is a need to create new knowledge by doing new things in new ways; *Critical* – involves a reflection upon literacy practices in various domains and *Civic* – involves use of literacy practices for the betterment of civil society. Belshaw concludes that digital literacies are transient: they change over time, may involve using different tools or developing different habits of mind, and almost always depend upon the context in which an individual finds him/herself (2005:204).

2.4 Media literacy

The term has been in use since the early 1980s, with the most adopted definition found in the Aspen Institute Report of the National Leadership Conference on Media Literacy of 1992, which defines media literacy as "the ability to access, analyze, evaluate and communicate messages in a variety of forms (Aufderheide 1993:xx). The European Commission brings in the question of the context of the communication, by describing media literacy as "the ability to access the media, to understand and to critically evaluate different aspects of the media and media contents and to create communications in a variety of contexts" (EC Media Literacy Portal n.d.). The emphasis of media literacy is the information literacy aspect, which deals with evaluation of information and its source for validity, reliability and usefulness. In terms of breadth, Bawden (2001:225) observes that media literacy included both print and post-print media and is a component of information literacy. Bawden specifically notes that media literacy concerns the ability to critically think and assess information that is found in mass media (television, radio, newspapers and the internet).

2.5 Visual literacy

Images are critical for communication and therefore there is a need for skills to understand and communicate visually, even as new technologies that enhance visual communication emerge. Several definitions of visual literacy exist, varying from discipline to discipline. The commonly referred to, and foundational, definition of visual literacy, is by Debes (1969:25), who defined a visually literate person as one who is able to discriminate and interpret visible actions, objects, symbols, natural or man-made, that he encounters in his environment, and be able to creatively use the competencies to communicate visually. Ultimately, visual literacy involves one's ability not only to see, but to understand, the image they see and the context, think about it and clearly communicate the message in whichever format.

2.6 Academic literacy

Ballard and Clanchy (1988:8) defined academic literacy broadly as a student's capacity to use written language to perform those functions required by the culture of the academic institution in ways and at a level judged to be acceptable by the reader. That capacity refers to a set of skills that would help a student find how to acclimatize to the new environment and practices. Lea and Street (1998:159-160) provided a very succinct description of academic literacy as the ability to read and write within disciplines that enables students to learn new subjects and discover new areas of study. Academic

literacy happens in the context of institutions of learning that act as places of discourse and power. They build on the earlier approaches that were based on developing skill and socialization by adding on the consideration of power relations and institutional or epistemological context.

2.7 Cultural literacy

According to Christenbury (1989), cultural literacy refers to a familiarity with the dominant culture. Christenbury adds that students and the population at large need a body of general and specific knowledge as a point of reference for all. Hirsch (1987) pointed out that there is a need to have a common body of knowledge possessed by all members of a society and that schools are best placed to impart this shared knowledge. Despite different emphases and specific perceptions, cultural literacy is generally seen as the awareness of and ability to communicate in one's cultural context, and this is best acquired by being taught. The Metri Group (2001) described the profile of a culturally literate student as one who:

- understands the impact of culture on behaviour and beliefs,
- is aware of specific cultural beliefs, values and sensibilities that might affect the way that they and others think or behave,
- understands that historical knowledge is constructed and therefore moulded by personal, political and social forces,
- is familiar with and able to effectively engage in new technology environments, including social media, and
- is able to engage and positively interact with individuals from other cultural groups.

2.8 Critical literacy

Critical literacy has been described in different ways in the literature. Jewett and Smith (2003) describe critical literacy as critically analysing and transforming texts by acting on knowledge that texts are not ideologically natural or neutral, that they represent particular points of view while silencing others and influencing people's ideas. It is also referred to as critical competence, and aims to transform and produce a practice by seeking to understand and interpret the many meanings, beliefs and assumptions behind written texts (Luke 2000). The knowledge gained from interpretation and critical analysis gives one cognitive skills that enable one to exert greater control over life events and situations.

2.9 Information literacy

The need for information literacy has been well documented in the literature of library and information studies. The significance of IL is closely related to the nature of the skills, competencies and abilities that come with it, and the higher levels of understanding concerning the context of information in today's society. The world finds itself with an avalanche of information, in great quantity, of varying quality and in various formats (text, electronic, image, spatial, sound, visual, numeric), a situation commonly referred to in information studies literature as 'information overload' (Rockman 2004). The significance of IL is therefore felt in all aspects of society, from educational institutions to society in general, including the corporate sector.

2.9.1 Information literacy in higher education

Information literacy initiatives in academic settings have been implemented, all aimed at assisting students to enhance their information competencies. Rockman (2004) stresses that IL in an academic context is a campus-wide issue that should involve all administrators, faculty, librarians, media and information technologists, assessment coordinators, faculty development directors, service learning specialists, student affairs personnel and career development professionals. Amalahu, Oluwasina and Laoye's (2009) study of users' e-learning information needs at Tai Solarin University of Education in Nigeria found the need to increase the presence of information literacy in their curriculum in order to encourage better use of electronic resources available. The study suggested that users needed to be equipped with skills and knowledge that would enable them to succeed in their academic endeavours and beyond.

The Boyer Commission Report, *Reinventing Undergraduate Education* (1998), conjectured that undergraduate education needed to be a continuum that prepared students to be continual learners after graduation, by equipping them with critical thinking skills. Besides, students need confidence in handling information if they are to succeed in any environment. They will find themselves in a better position to handle information that comes their way if they have the skills to find, select, interpret, evaluate, organize and use information for specific purposes.

A study on IL among undergraduates at the University of California-Berkeley by Maughan (2001) found that students thought they knew more about accessing information and conducting library research than they were able to demonstrate when put to the test, and that students continued to be confused by the elementary conventions for organizing and accessing information. The study demonstrated that a lack of information literacy skills in university graduates left them ill-prepared for efficient functioning in the information society.

2.9.2 Information literacy conceptions and learning experiences by students

In literature, the terms conception, perceptions and experience are often used interchangeably. They are used to refer to people's ways of seeing things, the interaction between people and the object they are interacting with. The growing student-focused approaches to learning have made student learning experiences critical in the assessment of quality in higher education (Ertl *et al.* 2008). Surveys at institutional and national levels have been carried out to evaluate student experiences, as well as institutional quality.

Cahill, Turner and Barefoot (2010) studied the academic staff's experience in enhancing the student learning experience across several disciplines and found that establishing readiness, connecting with students and the learning environment, played a significant role in enhancing student learning experiences. Establishing readiness included the resources and infrastructure needed to promote and support student learning experiences. Connecting with students included involving them as active participants in the whole learning process, from admission through to graduation. Effective learning experiences are also a result of conducive formal and informal learning environments. Cahill, Turner and Barefoot (2010:292) observed that physical environments needed to support the students' learning process and not to allow distraction or disruption of intended learning goals as a result of psychosocial disharmony.

Leading in describing the way students experience and conceive information literacy is Bruce's Seven Faces of Information Literacy model (Bruce 1997; 2000), which resulted from a phenomenographic investigation of variations in the experiences of information users. In her study, Bruce took a relational approach to understanding undergraduate students' experience with information. The study found that information literacy was experienced by students as using IT for communication and information awareness, finding information from appropriate sources, executing a process, controlling information, building up a personal knowledge base in new areas of interest, working with knowledge and personal perspectives adopted in such a way that novel insight is gained and using information wisely for the benefit of others. These experiences differ from one group of users to another in terms of the extent of their applicability.

Dabbour and Ballard (2011) conducted a cross-cultural study of IL perceptions and library instruction experiences on undergraduate students at a large American university, targeting Latinos and white students. Over two-thirds of the respondents agreed that the IL skills they had acquired greatly contributed to their academic success. They further concluded that, although IL instruction needed overhauling in terms of *when*, *where* and *how* it is presented in the curriculum, as well as how it is assessed, it was of great value to students in both ethnic categories. Similarly, Lupton (2008) underscored the importance of IL learning, when she conducted a phenomenographic study of first-year environmental studies students' experience of information literacy in an Australian university. The results revealed three categories of how the students experienced IL, including seeking evidence, developing an argument and learning as a social responsibility (Lupton 2008:404). These three ways of experiencing IL were, however, found not to be mutually exclusive but having inter-relationships among them and IL.

In their study, Diehm and Lupton (2012) sought to discover how undergraduate students approached and viewed learning IL. The study established three methods that students use to learn information literacy: 1) learning by doing; 2) learning by trial and error; and 3) learning by interacting with other people (2012:219). Diehm and Lupton further observed that, since students used a variety of approaches to learn information literacy, librarians and lecturers needed to collaborate and provide a variety of opportunities, experiences and practice that will encourage students to improve their learning outcomes.

While considering student information literacy experiences in a specific discipline, several studies have used a qualitative approach (Genoni & Partridge 2000; Osborne 2011; Diehm & Lupton 2012; Maybee *et al.* 2013). In their study on how doctoral students handled their research data and information, Genoni and Partridge (2000) found that students in a given discipline have unique research needs that should be addressed specifically in order to have a more successful learning experience. This is further demonstrated by Osborne's (2011) study of IL conceptions of undergraduate nursing students. Osborne found that IL is perceived as part of a nurse's professional role in supporting evidence-based practice, although it is context dependent and variable.

Maybee *et al.* (2013:17) studied undergraduate students' experience of IL and found that students who experienced IL as both learning to use information and focusing on the subject content emphasized meaning-making as resulting from using information. Other students focused only on either learning to use information or the content of the lesson. Seamans (2002) studied how undergraduate students acquire, use and perceive information. She found that undergraduate students often did not see libraries as part of their information support network, but embraced technology as a means to learning. This understanding is useful to IL instructors for the design of IL curricula.

This section has revealed that students experienced and conceptualized their IL experience in personal, professional and academic contexts. IL was experienced in several ways, but all these perceived IL as a learning process. The

experiences, as conceptualized and practised were varied depending on the nature of the need for information, the resultant type of information needed and the context of the experience.

3 Information literacy initiatives and challenges in higher education

Since the early 1980s, the importance of information literacy in national and regional educational planning has kept growing. Several accrediting organizations and information professional associations have increasingly emphasized the significance of IL. This section presents a brief overview of initiatives that affect IL in institutions of higher learning, including the frameworks and standards for IL learning at various levels, and by various stakeholders across the globe.

3.1 IL Initiatives in the United States

Information literacy initiatives in the United States (US) have roots in the early seventies and are found at various levels: national associations, state and individual colleges or universities. This research concentrates only on initiatives that specifically address IL in higher education. Since the establishment of the Library Instruction Round Table in 1977 within the ACRL, information literacy has grown to be a well-established learning goal in higher education institutions in the US and Canada (Goff 2007). State university systems have played key roles in enshrining IL activities in education as a graduation requirement, starting with the California State University System, in 1983. Others include Texas (TILT – Texas Information Literacy Tutorial at the University of Texas), Ohio (Project SAILS at Kent State University), State University of New York, Wisconsin and Massachusetts. These efforts are complemented by the numerous IL online learning tutorials by individual universities and associations in support of higher education learning.

At the national level, the ACRL (under the ALA) have built on earlier efforts and developed the Information Literacy Competency Standards for Higher Education (ACRL 2000). These standards detail how to assess the progress and outcomes of learning information literacy, and act as guidelines for partnerships between various libraries and associations. Individual libraries and groups of libraries have developed guidelines and rubrics for IL that fit their situations, but can also be adopted by any interested libraries. According to Goff (2007:131), the standardization efforts in the US have been greatly boosted by accrediting bodies that have recognized IL as a core learning ability, and require educators to demonstrate how this is achieved, and the coming together of collaborators in the IL movement. The co-operation at local, regional and national level among IL stakeholders can be regarded as one key element that has led to the success of the IL initiatives in higher education and other sectors in the US.

3.2 IL Initiatives in Canada

The Canadian Literacy and Learning Network forms the national initiative, with several provincial and territorial networks. For lack of their own, universities and academic institutions in Canada have adopted the ACRL standards for their IL initiatives and integrate IL into credit courses (Goff 2007). Information literacy initiatives for Canadian universities include the Cooperative Online Repository for Information Literacy (CORIL) Listserv that encourages exchange of ideas among IL librarians. The Canadian University Information Literacy Initiatives (CUILI) wiki is a national movement by academic librarians across Canada, available to all universities. The Ontario Council of Academic Vice-Presidents (2005) offers guidelines for university undergraduate degree level expectations and IL is one of them.

3.3 IL Initiatives in Europe

Through professional associations and individual information literacy practitioners, various definitions, models and standards have been advanced in Europe (Bundy 2004; Society of College, National and University Libraries 1999). Notable early initiatives include the 1994-1997 EDUCATE (End-user Courses in Information Access through Communication Technology) project funded by the European Union, which included universities from Ireland, Sweden, France, Spain and the UK and the DEDICATE (Distance Education Information Courses with Access Through Networks). Horton (2006) found that UNESCO and the International Federation of Library Associations (IFLA) are among the international bodies that have supported IL initiatives in Europe. A leading European IL initiative is the Library and Learning Support Working Group (LLSWG), consisting of librarians and information professionals from over 260 universities, that offers regular IL sessions at its annual and international conferences. Regional level initiatives include the NORDINFO for Nordic countries.

At the institutional level, Bruce (2001) observed that the key IL issues include integration of the concept into curricula and the collaboration between librarians and lecturers in teaching information literacy. Consequently, initiatives have been advanced to raise IL discussions from the library to being a matter for the whole institution (Johnson & Webber 2003; Corrall 2007). Following up on the same view, Corrall (2007) investigated levels of strategic engagement with information literacy in UK higher education and found an IL evaluation framework and assessment model for institutional self-appraisal and benchmarking. Stubbings and Franklin's (2006) study found many IL practitioners in the UK emphasized the

need to embed IL strategies in institutional documents, linking it to educational goals. Corrall's (2007) study found evidence of strategic commitment to information literacy in the UK universities, as reflected in graduate attributes statements and other strategic policy documents.

Britain has the majority of IL initiatives developed for university students. Leading was SCONUL that developed the Seven Pillars of Information Skills model (SCONUL 1999) that act as guidelines for institutional IL initiatives. The Seven Pillars of the model include: the ability to identify a personal need for information, the ability to assess current knowledge and identify gaps, the ability to construct strategies for locating information and data, the ability to locate and access information and data needed, the ability to review the research process and compare and evaluate information and data, the ability to organize information professionally and ethically and the ability to apply the knowledge gained by synthesizing new and old information and data to create new knowledge and disseminating it in a variety of ways.

Other initiatives in the UK include the Jisc User Behaviour in Information Seeking that seeks to understand university students' information-seeking behavior, Big Blue Project by the University of Manchester and University of Leeds, and EduLib for teachers of IL. The British Open University has also done considerable work in using technology to enhance IL delivery to distance learners, with several web-based IL instructions and tutorials. Stubbings & Brine 2003) found many universities had embraced electronic IL initiatives that included online catalogue tutorials, virtual tours and information skills tutorials. Webber & McGuinness (2007) found the application of IL in universities varied from institution to institution with some facing challenges in achieving well developed systems due to lack of active IL practitioners, collaboration among lecturers and librarians and limited resources.

In other European countries, Rader (2002) points out that several Scottish and Irish universities have been involved in various aspects of teaching information literacy skills, including Robert Gordon University (www.iteu.gla.ac.uk/IIInfoLit.html), the University of Glasgow and Queens University. However, Rader's study of five Irish universities revealed that IL held a less significant place in higher education. A recent initiative is the Welsh Information Literacy Framework, which seeks to promote the understanding and development of IL in education, the workplace and the general Welsh community (Welsh Information Literacy Project 2011).

In Germany, a number of universities were involved in IL instruction at various levels and with different approaches, led by the University of Heidelberg and the University of Hamburg. However, Homann (2003) pointed out that lack of qualified librarians and teachers of IL was a hindrance to the advancement of the initiatives. The Swedish NordINFOLIT Group is a leading initiative in IL that is responsible for a number of activities. The Chalmers University of Technology also has comprehensive programmes for IL that are available online for undergraduate and graduate students.

The Danish Electronic Research Library (DEF) initiative is credited with spearheading IL in higher education in Denmark. The Centre for Teaching Development and Digital Media (2012) noted that METRO, a Danish virtual resource is an example of a product of collaboration between librarians and faculty for guiding students on how to get relevant resources for their studies. Tolonen (2007) found the Finnish Virtual University's state project as spearheading IL initiatives in Finland. Encouraged by the Ministry for Scientific and Technical Information, French universities have, for a long time, implemented IL programmes led by the University of Paris.

3.4 IL Initiatives in Australia and New Zealand

The concept of information literacy is well explored, understood and applied in Australia and New Zealand's higher education system. Peacock (2007) found that strategies that have led to the success of IL include intensive engagement at policy and planning levels, implementation, testing and evaluation of approaches that support IL and its integration in educational curricula. Rader (2002) observed that information professionals in Australia had closely connected the IL concept with the concept of lifelong learning, which has greatly fostered the collaboration between librarians and faculty and enhanced IL teaching and learning. Instruction in IL in Australia includes several online tutorials by leading universities, adopted by higher education institutions for individual or group use.

With regard to standards, Australia and New Zealand librarians have developed a comprehensive IL framework adopting the ACRL standards, with two additional sections on creation of new information and lifelong learning (Bundy 2004). Specific to the university scene is the Council of Australian University Librarians Information Literacy Standards and Best Practice Characteristics (CAUL 2004). Several policy statements and guidelines by associations and organizations exist to promote IL in higher education in Australia and New Zealand, led by the Australian and New Zealand Institute (ANZIIL) for Information Literacy, the Queensland University Libraries Office of Co-operation (QULOC) and the Council for New Zealand University Librarians (CONZUL). In spite of these impressive efforts, Peacock (2007) observed that a comprehensive instruction framework is still difficult to attain, even with most universities explicitly and implicitly stating that IL is a core attribute of a tertiary education qualification.

3. 5 IL Initiatives in Asia

A study by Zeng *et al* (2008) identified a variety of IL approaches including special workshops, credit courses and online information literacy instruction as leading initiatives in China. Additionally, Rader (2002) found the national IL meetings and symposia had increased interest in the concept of information professionals across the country. There are standards that consist of seven first-level indicators (Standard), 19 second-level indicators (Performance Indicator) and 61 third-level indicators (Outcome). These give a national point of reference for IL practice in academic institutions throughout China.

Although the concept of information literacy in library and information science literature is fairly recent in India (Babu 2008), related terms and concepts have existed before. According to Gedam and Agashe (2009), India has several IL initiatives in institutions of higher learning, including seminars and workshops for faculty and librarians, some supported by the government of India and others by international organizations. IL initiatives are supported by an increasingly large number of well-trained information professionals. However, national standards and guidelines for IL in India are yet to be realized.

3.6 IL Initiatives in Latin America

Countries in this region with marked IL initiatives in a few academic institutions of higher learning include Argentina, Brazil, Chile and Mexico (Lau 2007:31). Lau (2007) reported that these initiatives rarely involve IL inclusion in curricula and are scattered from one country to another. With regard to standards, the only referred to IL guideline in Latin America are those published in Mexico. The IL content offered by these universities included multimedia videos that gave library tours and demonstrated use of electronic resources in the libraries. A key initiative that sought to describe the concept in an understandable way was the National Meeting of Informative abilities in the University of the Autonomous City of Juarez (UACJ) in 1997 and 1999, which brought together hundreds of librarians in Mexico. Lau (2007) reported a number of doctoral level IL studies that have been done in Brazil, Mexico and Cuba, to show how extensively the concept has been investigated in some of the Latin American countries. He further revealed that university libraries in the region were increasingly organizing workshops and seminars to address the lack of formal training for librarians and information professionals with regard to delivery of IL.

3.7 IL Initiatives in Africa

Information literacy initiatives and developments in Africa are at different levels and vary from country to country. Fidzani (2007) found most universities conducted user education for new students, with a few others developing more formal and structured IL programmes. Conspicuously absent are national, regional or professional associations' IL initiatives and frameworks, as found in the US, Europe and Australia. User education includes library orientation, library use instruction and introduction to library guides and manuals. Several studies found library use courses were usually integrated in general first-year courses, referred to as a communication skills, general studies, information skills or college English (Kavulya 2003; Fidzani 2007; Lwehabura 2007). Fidzani (2007:111) further revealed that many African universities hosted online IL tutorials on their websites and links to other tutorials outside their campuses.

Studies reviewed revealed that challenges facing IL initiatives in African universities were almost similar from one country to another, including shortage of qualified staff to teach IL, its exclusion from the educational curricula and inadequate funding, (Kavulya 2003; Dadzie 2007 2009). Non-commitment by institutions to IL was demonstrated by lack of clear policies on IL, leading to haphazard application of IL initiatives (Kavulya 2003; Lwehabura 2008). Similarly, Dadzie (2007) investigated information literacy in Ghanaian universities and found that inadequate staffing, inflexible curricula, poor technological infrastructure and ignorance on what IL is about were key hindrances to IL teaching and learning. In his study, Lwehabura (2007) found lack of institutional commitment as hindering IL initiatives in Tanzanian universities, and suggested mainstreaming IL in the university curriculum as the solution. Mlambo (2010:29) observed that IL initiatives in higher education in Zimbabwe had become critical. She quoted the University of Zimbabwe as a case that had embedded IL in the curriculum and integrated it with a communications skills course which was examinable.

In Kenya, information skills are taught in many universities as communication and study skills (Kavulya 2003). Amunga (2011:431) found computer illiteracy among students and staff as a major impediment to information literacy efforts in Kenya. She noted that it is not uncommon to find a student having completed a four-year university education and having never stepped into the library (2011:430). The absence or limited exposure to how information can be sought and utilized is one reason for such a trend. Curriculum design and its implementation, including collaboration between librarians and faculty, were some of the major IL challenges in Kenyan universities (Kavulya 2003; Amunga 2011). However, there are several initiatives by individual libraries and a national consortium aimed at sensitizing and developing IL in Kenyan universities. The Kenya Libraries and Information Services Consortium (KLISC) has organized capacity

building workshops for university librarians that focus on information literacy. Another group initiative is the Maktaba Award (Library of the Year Award) by the Kenya Library Association, in conjunction with the Goethe-Institute, Nairobi, and the Jomo Kenyatta Foundation, where, among the issues considered by the judges for the award include a library's information literacy initiative and ICT usage.

Studies by Rader (2002) and De Jager, Nassimbeni and Underwood (2007) revealed that South Africa has been more active in developing IL initiatives on the continent than any other region, even as the education system undergoes transformation and adoption of ICT. Karelse (1996) observed that IL advances in South Africa are partly associated with the evident successful INFOLIT initiative. The INFOLIT project, under the Cape Libraries Co-operative, supported development of IL in five tertiary institutions in the Western Cape region, but this later spread beyond the initial mandate. A credit-bearing course started by the project is still on-going at the University of Cape Town. In spite of appearing in some strategic plans and policy statements, most South African universities, like the rest of Africa, were found to have little evidence of institutional commitment to information literacy (De Jager & Nassimbeni 2005:36). Individual university libraries have also adopted measures to address IL issues among their communities. Ocholla (2016:4) discusses the IL initiatives adopted by the University of Zululand library that include developing training topics for workshops, specifically intended to address effective ways to research and communicate scholarly output. The topics included, but were not limited to *Introduction to library facilities, services and resources; Plagiarism; Turnitin; Advanced search techniques for e-resources; Referencing management tools (Endnote or Mendeley); e-TDs & IRs; Social networks for researchers; Publishing, including OA and copyright; Visibility, including research or author impact and researcher ID; and Research funding.*

Furthermore, most universities in South Africa have at least one librarian specifically designated for information literacy teaching, often supported by subject librarians.

As much as information literacy is being declared as the key agenda of the institutions, Corall (2007) and Owusu-Ansah (2007) observed that the implementation of IL initiatives is mostly left to unco-ordinated, short, optional instructions, rarely integrated within the university curriculum in Africa. Focus should therefore be on implementation of IL in a way that gives it the centrality it deserves in educational institutions of higher learning.

4. Conclusions

Various definitions of IL abound in literature, as various IL practitioners and professionals engage the concept from different standpoints. One common understanding in the LIS literature reviewed is that information literacy is a necessary concept for the 21st century and beyond. Throughout the literature surveyed, the growing importance of IL in academic institutions demonstrates that the concept is critical part of the current and future generation's entire life.

Literature has shown that the goal of IL is to develop lifelong learners who can adapt to any changing information landscape by critically evaluating information and using it effectively, conscious of its impact. Changes in technology have changed the way universities offer instruction, including information literacy. Differences in implementation depend on national, regional and institutional policies and budgetary allocations. Implementation of modern ICTs in delivering information literacy is growing in many countries, with some being supported by national governments, but a majority being institutional efforts. Availability of the appropriate equipment and knowledge of using them to access information by librarians and lecturers is key to successful implementation of IL on the modern technological stage of higher education. The general focus of the initiatives is empowering the student to be able to find and analyse the information they need to address a given problem.

This study is important in informing trends of information literacy development and implementation in academic environments in both the developed and developing countries for comparison. The limited current studies on IL student experiences present a gap that requires more attention, especially in developing countries. The paper has also demonstrated that although IL is gaining attention in universities in Africa as a critical aspect of higher education learning, a lot needs to be done to expedite the process in terms of policy guidelines and resources to ensure adequate equipment and trained personnel. It is therefore recommended that librarians, academic administrators, faculty and higher education players at national, regional and institutional levels individually and collaboratively address IL as the important component for higher education learning that it has been demonstrated to be.

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The role of the African Union (AU) in preventing conflicts in African States

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The issue of regionalism is today present throughout the international system, and regional organisations are widely considered to play an important role in relation to regional and sub-regional security. With the sub-regional organisations increasingly overburdened, such regional organisations have emerged as one possible solution to problems associated with state fragility and violence perpetrated by non-state actors. Relative to other regional organisations, the AU has received little attention in the literature and it is not generally considered to have much impact on the prevention of conflicts in the African region like sub-regional organisations. This paper, however, argues that the AU does matter and that rules and norms do make a difference in peace and security more generally. The AU, despite its problems, has played important roles that have helped avert violent conflict in a number of cases in Africa.

Keywords: African Union (AU), Regionalism, Security, Regional Organisations, African Region

1. Introduction

With the end of the Cold War, the debate on regional and sub-regional organisations acquired new relevance in the context of the wider debate on peace and security studies. Regional organisations are seen by many scholars to fulfil an important role in guaranteeing stability, peace and security through conflict prevention and resolution, cooperation in non-offensive military fields and other areas related to the realm of security, such as development and building institutions for conflict management and resolution (Ikejiaku and Dauda 2011). The issue of regionalism is today present throughout the global system and in different arenas of interaction with diverse levels of institutionalisation. Both spatially and functionally it is a major part of peace and security studies. The management of sub-regional security is increasingly supposed to be generated at the regional level. The negotiation and settlement of borders and territorial disputes and intra-state conflicts and the creation of security regimes take place within regional organisations, and regional leaders play a major role in bearing the costs of these processes and shaping their outcomes**.** Since sub-regional organisations have been overburdened, regional organisations have emerged as one among a number of solutions to problems encountered in generating a measure of global governance in a scenario of new wars, collapsing or fragile states and growing proliferation of violence among non-state actors.

In this context the multiplication of functions performed by regional organisations can be observed, and a debate on the subject has developed in the peace and security literature. The African region has received more attention because the number of intra-state conflicts in the region since the end of the Cold War has been high, and because the African region has been strategically central to the debate on peace and security in the last twenty years. The literature relating to the African Union (AU) that has emerged in this period focuses mostly on its institutional structure and its role in fostering democratic institutions (International Colloquium Report 2012). The wider literature on African regionalism pays little attention to the AU, mainly because political and economic integration on a sub-regional basis has been more relevant in terms of the public debate and the social and political consequences (International Colloquium Report 2012).

This article examines the roles played by the AU in managing regional security among the African states, with particular emphasis on the changes that have been taking place since the end of the Cold War. The objective of the analysis is to show that the AU is still relevant in the management of intra- and inter-state conflicts in African region. The AU has been in existence since 1963; 54 sovereign states of African region are members of the AU. It is a multifunctional institution, but this analysis focuses on the role it has in one dimension – security.[1] In this context, this article puts forward the argument that the AU has played a relevant role in two crucial areas: peaceful settlement of disputes and conflict prevention – although the worst conflicts in the region have not been resolved by the AU. Throughout its history the AU has supported the peaceful settlement of disputes, and after the attempts to revive the organisation after the end of the Cold War, it has increasingly played a role in the area of conflict management, prevention and resolution. Article 4 of the AU Charter states that to 'guarantee the peace and security of the region is one of the mandates of the AU'.[2]

In terms of this widely defined aim one can state that AU is effective today in terms of the peaceful settlement of disputes and conflict prevention. In terms of the classical definition of collective security as a multilateral deterrent to aggression, AU is not effective, not having developed mechanisms for the collective use of force. Although some military

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approaches to preventive diplomacy are available, such as those aimed at restraining the use of force, others are not available to AU because they involve the deployment of forces or decisions that move beyond the threshold established within the organisational culture regarding the concept of sovereignty. The peaceful settlement of disputes and the mechanisms available are mentioned in Articles 3 to 4 of the Charter and prevention is referred to in Article 4 (OAU Charter 1963).

One of the purposes of the AU is 'to prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States'.[3] Collective security is described as one the aims of AU, in Article 4. Although 'peace and security' can be understood widely, the reference to the peaceful settlement of regional and sub-regional disputes in Article 4, and the articles reaffirming the principle of sovereignty, could suggest that only regional conflicts are to be tackled within AU. This is a disputed point and one that has generated great internal controversy. Nevertheless, after the 1990s, following the establishment of the link between democracy and security, sub-regional as well as regional conflicts were tackled. This article discusses how the AU is relevant for both regional and sub-regional conflict. The analysis of the resources available, subjective environment and pattern of behaviour of AU will support this argument. It will also look both at the institutions created and at the results obtained by the action taken by the AU. The article will introduce the AU in a brief overview of the history of the organisation and its organisational structure, and then move on to concentrate on its role in the security arena. The security environment in the African region will be briefly analysed to expatiate the challenges the AU faces. Finally, it will also look at the role played by AU in preventing violent conflict and conflict resolution with emphasis on the post-Cold War era.

2. Historical, Structural and Transformation of the Organization of African Unity (OAU) to African Union (AU)

On May 25 1963 in Addis Ababa, Ethiopia, the 32 African states that had achieved independence at that time agreed to establish the Organization of African Unity (OAU) (OAU 2012). A further 21 members joined gradually, reaching a total of 53 by the time of the AU's creation in 2002. On 9 July 2011, South Sudan became the 54th African Union (AU) member. The OAU's main objectives, as set out in the OAU Charter, were to promote the unity and solidarity of African states; coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa; safeguard the sovereignty and territorial integrity of Member States; rid the continent of colonisation and apartheid; promote regional and sub-regional cooperation within the sub-regional framework; and harmonise members' political, diplomatic, economic, educational, cultural, health, welfare, scientific, technical and defence policies (OAU 2012). The OAU operated on the basis of its Charter and the 1991 Treaty establishing the African Economic Community (known as the Abuja Treaty) (OAU 2012). Its major organs were the Assembly of Heads of State and Government, Council of Ministers and the General Secretariat as well as the Commission of Mediation, Conciliation and Arbitration; Economic and Social Commission; Educational, Scientific, Cultural and Health Commission; and Defence Commission. The Commission of Mediation, Conciliation and Arbitration was replaced by the Mechanism for Conflict Prevention, Management and Resolution in 1993 (OAU 2012).

Through the 1990s, leaders debated the need to amend the OAU's structures to reflect the challenges of a changing world. In 1999, the OAU Heads of State and Government issued the Sirte Declaration calling for the establishment of a new African Union (OAU 2012). The vision for the Union was to build on the OAU's work by establishing a body that could accelerate the process of integration in Africa, support the empowerment of African states in the global economy and address the multifaceted social, economic and political problems facing the continent. In total, four summits were held in the lead-up to the official launching of the African Union, the Sirte Summit (1999), which adopted the Sirte Declaration calling for the establishment of the AU; the Lomé Summit (2000), which adopted the AU Constitutive Act; the Lusaka Summit (2001), which drew the road map for implementation of the AU; and the Durban Summit (2002), which launched the AU and convened its first Assembly of Heads of State and Government (African Union: 2002). A significant number of OAU structures were carried forward into the AU. Similarly, many of the OAU's core commitments, decisions and strategy frameworks continue to frame AU policies.

However, while the footprint of the OAU is still strong, the AU Constitutive Act and protocols established a significant number of new structures, both at the level of major organs and through a range of new technical and subsidiary committees. Many of these have evolved since 2002 and some are still under development. Under Article 11 of the Protocol to the AU Constitutive Act, the official languages of the AU and all its institutions are Arabic, English, French, Portuguese, Spanish, Kiswahili and any other African language (African Union 2002). The AU's working languages are Arabic, English, French and Portuguese. The AU emblem comprises four elements. The palm leaves shooting up on either side of the outer circle stand for peace. The gold circle symbolises Africa's wealth and bright future (African Union 2002). The plain map of Africa without boundaries in the inner circle signifies African unity. The small interlocking red rings at the

base of the emblem stand for African solidarity and the blood shed for the liberation of Africa. The current African Union flag was adopted in June 2010 at the Assembly of Heads of State and Government's 12th ordinary session. The design is a dark-green map of the African continent on a white sun, surrounded by a circle of 53 five-pointed gold (yellow) stars, on a dark-green field. The green background symbolises the hope of Africa, and the stars represent Member States (Pavšic 2013).

The decision-making process of the AU is based on a classical definition of sovereignty, where states have equal rights. The actual distribution of power is not expressed in the formal procedures and the sovereignty of each state is treated as equal since there is no power to veto or proportional distribution of voting power. The supreme organ of the AU is the Assembly of Heads of State and Government (OAU 1999). It is 'composed of the delegations accredited by the governments of the member states' (African Union 2002). It decides on the policies of the organisation, determines the functions and structure of different organs and approves the budget. The decision-making process is based on the one country/one vote system.

3. The role the AU plays in managing security in the African region: evaluation

In order to evaluate the role the AU plays in managing security in the African region, a brief look at the region's security landscape is required. Since the end of the Cold War, Africa has been the most un-peaceful among all the regions in the world. The political drafter and crafter must have informed the decisions of African leaders to establish the African Union (AU) from the ashes of the Organisation of African Union (OAU). Following the end of the Cold War, African leaders responded appropriately with a vision of building an integrated, prosperous and peaceful Africa (Bogland and Lagerstrom 2008). In Sirte, Libya, the dream was conceived but the birth of the AU was in Durban, South Africa. The birth of the AU was a significant landmark in the continent's quest for unity and development. The Union's vision explicitly states the intention to defend African common interests in regional and sub-regional context, accelerate Africa's development, and promote unity, solidarity and peace among African countries. At the same time, it was considered a bold attempt by African leaders to genuinely redraw the map of the continent's security architecture.

In a similar fashion, Murithi sees the transformation of the former Organisation of African Unity (OAU) to the AU as visionary and timely, bearing in mind the inability of the former to overcome some of the crises of development and security (Murithi 2008). There is no gainsaying that three decades into independence, Africa's crisis of development appears endless, and to paraphrase Ayittey in "chaos" (Ayittey 1999). Indeed, the outbreaks of endless armed conflicts literally changed the continent to a theatre of war with complex humanitarian and developmental crises. The prevalence and complex nature of these conflicts was not without enormous security and developmental burdens which may have informed the decision of African leaders to chart a new roadmap for the continent's conflict management and resolution. This belief is, however, not without some debates, and while one can contend that the establishment of the AU was the result of the failure of the OAU, on the contrary, another position states that the OAU has justified its *raison d'être* on the decolonization agenda and dismantling of the apartheid regime in South Africa.

However, it failed to make meaningful progress in the areas of conflict resolution and conflict management. This is not unconnected with the sanctity of the clause of "state sovereignty, non-interference in internal affairs of member states and territorial integrity" inserted into its Charter, under which many atrocities were committed (Akuffo 2010). These clauses were greatly seen as impediments in the interventionist role of the organization and largely contributed to its failure to provide a common platform or mechanism aimed at addressing the challenges of conflict. The idea and birth of the AU was largely informed by post-Cold War complex security crises, globalization waves [?] and the fundamental global change in the nature of conflict intervention which has embraced the principle of right to protect circumvented by the non-interference clause. Therefore, the continent's paradigmatic shift was not only to respond to the failure of the OAU, but to also conform to global conflict intervention mechanisms that would meet the challenges of the continent's contemporary complex emergencies, especially in the areas of new security crises (Murithi 2008). In other words, the AU was formed to respond to Africa's multiple crises of conflict and globals trend in conflict resolutions. The position therefore is: has the emergence of the AU changed the face of conflict interventions and resolution process in Africa? The question is central to the body of this paper. Though some would contend that the climate of new wars and insecurity appeared unabated despite the establishment of AU, this may be true especially when one considers the conflict reports in the continent. For example, it is reported that about seventy per cent of the world's armed conflicts are being fought in Africa, and in 2016, almost half of all high-intensity conflicts were in Africa.[4]

Additionally, according to ACLED-Armed Conflict Location and Event Data (2016), conflict is one of four 'traps' that keep the world's poorest countries poor and confine the world's 'bottom billion' people to a life of poverty. The report of ACLED-Armed Conflict Location and Event Data (2016) also supports this position; it reveals that of the 70 major armed conflicts in the world between 1997 and 2016, [number given?] were in Africa, the highest number for any region.[5] Also,

this figure does not include minor conflicts in which fewer than 1000 lives were lost.[6] To some extent, the report of the state of conflicts in Africa appeared frighteningly correct, but to conclude that the face of conflict intervention has not changed is nothing but an error of judgment. As this paper may prove later, there have been some significant changes in conflict intervention mechanisms since the emergence of AU.

In fact, Nikitin (2010) claims that the AU has demonstrated a new sense of purpose and direction aimed at the promotion of peace, security and development. However, there are conflicts in the Mano River region of West African countries Liberia, Sierra Leone, Guinea, and Cote d'Ivoire; the Great Lake region of Central African countries of Congo-Kinshasa, Congo-Brazzaville, Central African Republic, Rwanda and the Horn of Africa countries Sudan, Somalia, Ethiopia, Eritrea and Uganda. Other minor conflicts resulting from (electoral) democratic process occurred in Burundi, the Central African Republic, Kenya, Zimbabwe, Madagascar and Nigeria; all have in a way challenged the development agenda of the continent, stretched to breaking point the capability and capacity of AU institutions and questioned the its management mechanism and response strategies.

However, of all the pockets of conflict in Africa, none has ever challenged the AU's capability more than the current conflict in the Horn of Africa. The region is undoubtedly the darkest spot in Africa's conflicts, especially the DR Congo and Somalia conflicts, which incidentally are the major concern in the African region. Nevertheless, one must remember that boundary disputes exist today and were sources of conflict in the past. The territorial disputes in Africa at present are: Ethiopia/Somalia, Malawi/Tanzania, Mali/Burkina Faso, Ghana/Upper Volta/Burkina Faso, Equatorial Guinea/Gabon, Ethiopia/Eritrea (Kornprobst 2002). Moreover, guerrilla warfare was present from the late 1980s onward, and the war in DR Congo is the most vivid example of this reality today. Intra-state wars occurred in twelve countries since the late 1990s and the present problem facing the African region today is the issue of insurgencies (ACLED-Armed Conflict Location and Event Data 2016).[7] Currently drug traffic and transnational criminal activities in general have become the most acute threat to states and individuals alike, and the social and economic problems that characterise the region could give rise to regional and sub-regional conflicts over resources and migration. The domestic political and social situation in many African countries could generate internal conflicts. The fragility of domestic mechanisms for conflict resolution and the state apparatus in general has generated political crises throughout the history of the part of Africa. Somalia, South Sudan, Burundi, and Uganda are countries where institutional or violent crisis is a possibility in the medium term (Cliffe 1999).

4. The AU and the management of security

From the argument presented above it is apparent that the institution that is mandated to manage security in the African region faces a number of tasks: the AU is geared towards the multidimensional problems. The AU (Peace and Security Council) is supposed to be the pillar of the African region's security system (Peace and Security Directorate 2008). However, AU/PSC has worked in providing a security framework. The AU/PSC makes decisions aimed at addressing security threats perceived by the member states (AU PSC 2009). Other sub-regional institutions are also part of the group of regional mechanisms for the management of regional security, although only the AU congregates all region sovereign countries: *ad hoc* regional arrangements, the Summit Meetings (PSC 2008). The relations between the AU and the Summit Meeting are the most relevant for the purposes of this article since the Summit process has provided guidance beyond the Charter for action in the sphere of security. Regarding the other forms of cooperation, the levels of coordination do not have any significant results. Initially the Summit process was to develop an autonomous agenda, but the AU has increasingly taken the Summit's orientation as a guide for action. In the context of the Summit of the AU held in Durban in 2003 (Summit in 2003 also acknowledged the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) as creating a synergy between the various activities currently undertaken by the AU/PSC, which therefore should help to consolidate the work of the AU/PSC in the areas of peace, security, stability, development and co-operation), the AU was officially designated as the Secretariat of the Summit of the African security process (PSC 2010: African Union 2002). In addition, the Heads of State and Government was assigned mandates to the AU/PSC in several areas such as drugs, corruption, terrorism, African security, sustainable development and the environment. The AU/PSC incorporated these mandates into its agenda on a priority basis. The AU/PSC security structure was designed for collective security operations and for dispute settlement through diplomatic consultation through AU's Peace and Security Directorate (PSD) (Peace and Security Directorate 2008). Chapter III and IV of the Charter endorses the principle of collective security – an attack on one is considered an attack on all (Cilliers and Sturman 2004). Regarding intra- and inter-state conflict in the region, the emphasis lies on peaceful means for the settlement of disputes. Chapter IV outlines the procedures to promote this. The legalist tradition, profoundly rooted in African culture and also relevant in African relations more generally, is firmly associated with the norm of peaceful conflict resolution and reinforces it. When a security threat is detected, the Charter of the AU/PSC may be invoked. The representatives of

heads of state and government are engaged in preventive diplomacy and mediation in the region's trouble spots and/or appointed to head au electoral observation missions (AU 2003). The AU has had some success in reducing regional and sub-regional tensions and preventing conflicts from escalating (Ikejiaku and Dauda 2011). This was the case in the conflict between South Sudan and Sudan, and [Sudan and?] Mali. It has functioned as a forum for discussion of inter-state as well as intra-state conflict since its creation.

Investigative commissions were created in a number of cases to offer assessments and sometimes indicate solutions to situations of conflict or controversy. It has also been a major forum for the process of generating regional norms on security, regarding the peaceful solution of disputes, the association between democracy, stability, security and arms control and the mechanisms to fight transnational criminality (African Union 2002). The use of military capabilities is extremely common. During the Cold War, the containment of the ideological threat of communism was the main pillar of the concept of security in the African region and at the AU. The AU and the doctrines of national security developed in most African states reflected this logic. The 1980s can be characterised as the period when the AU was most clearly used as an instrument of US foreign policy, partly because many countries in the region accepted the bipolar ideological view of international relations sponsored by the US. During this period the AU mediation of the dispute in South Africa was the clearest expression of the organisation's capacity to be effective beyond the Cold War confrontation. South Africa has actively participated in the activities of the AU since its admission as a member, and was instrumental in initiating the African Nuclear Weapons Free Zone Treaty (the Treaty of Pelindaba) and AU/PSC. It also played a significant role in placing the issue of non-proliferation of landmines and small arms on the agenda of the AU. At the 1998 Summit in Ouagadougou, Burkina Faso, South Africa was requested to act as the co-ordinator of the countries of the Indian Ocean Region for the AU's efforts to find a sustainable solution to the problems in the Comoros (Ndiho 2010). This was a clear case of preventive diplomacy, more specifically 'pre-emptive engagement', according to Michael Lund's terminology in his work on conflict management and resolution (Lund 2005). Violence had begun, with hundreds dead and thousands displaced, but it was not widespread and the AU acted successfully to create channels of communication, turning the norm of peaceful resolution of disputes into a reality while also using inducements and pressure. After only four days of fighting a ceasefire was reached.

Thereafter, the AU engaged in conflict management and resolution, allowing the disputes between the two countries to end peacefully. In other cases the AU was also able to avoid violence that faced the region during the period (Akude 2009). The AU/PSC functioned as a conflict prevention mechanism in the operational sense, supporting the return to stability or *status quo* in many instances, and as a forum for conflict resolution and social environment for the maintenance of the norm of peaceful conflict resolution. The following are the cases in which the Charter was invoked to deal with a security threat in the region, in the period up to recently.

5. The African Union (AU) after the Cold War

Since the end of the Cold War, an attempt to redefine the role played by the AU has been made, prompted by a wide sense of failure, the new consensus on democracy in the region, the admission of South Africa in 2001, different interests of sub-regional actors and the wider debate on the redefinition of the concept of security. The AU has become active in fostering confidence-building measures and land-mine clearing, and has continued its work on the dialogue on border and territorial disputes and attempts to manage and prevent conflict. The range of activities in which the organisation has been involved has grown notably and new capabilities have been generated. Several institutional changes took place and new agencies were created, such as the Peace and Security Council, Constitutive Act of the African Union, African Nuclear Weapons Free-Zone Treaty (The Treaty of Pelindaba) and the Convention on the Prevention and Combating of Terrorism. The Assembly of Heads of State and Government acquired new responsibilities. He or she is (as head of state [?]) now authorized to bring to the attention of the Assembly of Heads of State and Government matters which might threaten the peace, security or development of member states.

The effort to reshape the organisation should be understood also in the context of the generation of the idea that peace is a regional asset. The vision of a peaceful and stable region, in contrast to other parts of the world, is perceived by sub-regional elites of several countries as an advantage in the context of the current dispute over regional investment flows. At the same time, policy makers and academics undertook a debate on the new role of the AU as the literature quoted earlier testifies. In this new context, is the AU really relevant in the peace and security of African states? Two different paths are taken in the remaining part of this article to answer this question.

First, it has been pointed out that the AU has developed two new roles in norm generation: a leading role in supporting the confidence-building agenda in the African region; and a central role in generating the African democratic paradigm that associates security and democracy, allowing the organisation to have an active role in preventing sub-regional conflict and particularly intra-state conflicts. In addition, the AU remains an important pillar of the norm of

peaceful solution of disputes, which is an historical legacy of previous periods. Insofar as the states participate in norm construction and behaviour is changed, one can see these norms functioning as preventive diplomacy mechanisms.

Secondly, it shows that the AU prevented a number of intra- and inter-state disputes from turning into violent conflict and was essential in diffusing several crises. In the sphere of security, in particular, a collective desire to redefine the role of the organisation can be observed. Several resolutions on cooperation in this arena were passed, two important conventions were signed, a debate on the redefinition of the concept of African security was launched and the AU Commission's Peace and Security Council was created in December 26, 2003 (Pavšic 2013). The AU/PSC has a mandate to review the African security system. Among the several issues under scrutiny we should mention the juridical and institutional link between the AU and the Peace and Security Council, the drive towards greater transparency in managing military capabilities, the special needs of small states and the debate on the concept of security itself; notably absent from debate is the current situation in Burundi and Nigeria.

The AU Committee's working groups completed their work during the last decade on the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, on recommendations on natural disaster reduction to the AU and its subsidiaries, on the modernisation needed to provide the AU with technical, advisory, and educational expertise on defence and security issues, on a draft cyber-security strategy and on the juridical and institutional links. The redefinition of the concept of security involved the incorporation of an expanded concept and the shift from collective security to co-operative security. The expanded concept of security allows for the perception of the interdependence between economic, social, political and environment issues and threats and use of violence. The perception that so-called new threats to security such as drug traffic, illegal traffic of arms, intra-state violence and institutional failure of states could be tackled by the organisation became acceptable. At the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA), adopted by the AU Assembly in Durban in July 2002, member states defined security in multidimensional terms (African Union 2002). Thus efforts to deal with drug traffic, democratic stability, insurgence and mine clearing acquired new legitimacy.

A new normative framework was generated and institutional mechanisms were produced. Some of the norms and mechanisms in question are part of the preventive diplomacy practice discussed at the beginning of this article. The emphasis on confidence- and security-building measures, which guarantee transparency of security procedures and the availability of information, replaced the stress on deterrence in the concept of collective security or collective defence (i.e. the idea that aggressors would have to face the combined force of a coalition). The idea of arms control is not explicitly present in the Charter, but slowly entered the African Nuclear Weapons Free-Zone Treaty (The Treaty of Pelindaba) security environment in 1998 (African Union 2002). In 1998, all the member states affirmed their support for the idea of arms control, and the African Nuclear Weapons Free-Zone Treaty was signed on this subject. The African Nuclear Weapons Free-Zone Treaty against the Illicit Production and Traffic of Arms, Ammunition, Explosives and related Materials of 1998 expresses the link between the arms control agenda and the new prominence of the concept of cooperative security.

In addition, the concern with the nature of civil-military relations in Africa, given the region's history of military intervention in public administration, and the search for new roles and identities for the military led local elites to acquire greater interest in the subject. In the 1990s the states in Africa turned to the AU as a catalyst for confidence building. The AU has organised and sponsored conferences on confidence- and security building measures, designed to strengthen military-to-military relations at regional and sub-regional level, deal with historic rivalries and tensions and create an environment that permits the governments of the region to modernise their defence forces without triggering suspicions from neighbours or leading to an arms race. Many meeting of governmental specialists on confidence-building measures and other security-related issues had been was held. This initiative provides a framework for the advance notification of acquisitions of weapon systems covered by the UN Register. The participation of African states in different aspects of the confidence and security agenda attest to the wide involvement of countries in the region. Moreover, bilateral arrangements complement this trend, such as the joint operations and training between Nigeria and Sierra Leone forces in particular. The experience of AU Standby Force in Liberia, Sierra Leone, Burundi, DR Congo, Central African Republic, etc. can also be viewed as a confidence-building experience (Derso 2010). As part of the transformation process, the AU Standby Force has acquired new and different roles. Its current programmes include mine clearing in Horn of Africa and Great Lakes Region, reporting on confidence- and security-building measures, and developing educational programmes on regional security.

The analysis of the military security- and confidence-building measures was initiated at the headquarters of the AU. Thus it is clear that a long process involving African states, and more particularly the military establishments in the region, has generated a norm regarding knowledge sharing and the diffusion of rules regarding military activities and arms

procurements. This is a change in social interaction that prevents conflict by generating confidence. The second norm that the AU had a central role in generating was the association between democracy and security, allowing for a role of the regional multilateral institutions in protecting democratic institutions where they were fragile or collapsing thus avoiding conflict. The new weight given by the AU to the defence of democracy marked the international landscape in the region in the 1990s.

In this case one should also notice the presence of sub-regional institutions playing an important role. They were always present in declaratory terms in the AU's agenda, having been associated with the Cold War dispute. Some attempts to foster formal democratic institutions can be understood both as part of the US Cold War strategy and as the movement towards a regional autocratic regimes for the protection of human rights and democracy. The Declaration of Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights issued by the Assembly of Heads of State and Government in 9 July 1996, explicitly mentions the importance of free elections, freedom of the press, respect for human rights and effective judicial procedures. During that meeting the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights was created. Nevertheless only in 1998 did the AU begin its course towards a legitimising and supporting role in the consolidation and improvement of democracy in the African region. At that moment a resolution condemning the human rights record of the military regime was passed.

The 1998 Protocol states the commitment to the promotion and the strengthening of representative democracy. The 1998 Declaration on the Collective Defence of Democracy, often referred to as the Protocol to the African Charter on Human and Peoples' Rights, called for prompt reaction of the region's democracies in the event of a threat to democracy in a member state. The protocol also strengthens representative democracy by giving the AU the right to suspend a member state whose democratically elected government is overthrown by force. A new collective identity was fostered, led by the US, and made possible by the transition of most African countries to democracy in the 1990s. In fact, the AU relaxed its commitment to the principle of non-intervention in the process of constructing a regime for the preservation of democracy (Souaré 2009).

Finally, in 2000 the AU sought to end unconstitutional changes of government by establishing the Peace and Security Council (PSC), further institutionalising the democratic paradigm (Witt 2012a). The PSC creates procedures for cases of formal disruption to democracy and for situations when democracy is at risk. It was first formally applied when a coup d'etat was attempted against President Kumba Ialá in September 14, 2003 in Guinea-Bissau (Kufuor 2002). In this context, the AU Commission's Peace and Security Department was established in December 26, 2003 (Witt 2012b). It provided assistance for the development of democratic institutions and for conflict management and resolution. During the first years of its activities, the PSC concentrated on the area of electoral observations (Kufuor 2002). Following the First Summit of the AU Commission's Peace and Security Council in 2003, it got involved in programmes for the support of peace processes on the continent. The PSC took part in several electoral observation missions on national and municipal levels, supporting training, educational, research and information programmes (Kane 2008). Since 2003 the AU/PSC has set up more than 40 electoral observation missions in 20 different countries (Ikome 2007). The AU's Peace and Security Directorate (PSD) on Political Parties fosters debate and research on issues pertaining to the political system of states, such as campaign financing and confidence in the political system (Engel 2010). The AU/PSC has also promoted dialogue in African countries where political institutions may be facing a crisis – such as Zimbabwe, Kenya, DR Congo, Liberia, Sierra Leone, Côte d'Ivoire, Guinea, Algeria, Angola, Rwanda, and Burundi, etc. – and generated training and educational programmes geared towards the generation of a democratic culture (AU 2010). These activities are part of the conflict-prevention toolbox and the extent, and importance, of the activities allows us to assert that the AU/PSC plays a major part in guaranteeing democratic stability in the region (AU 2011). These activities can be categorised in different manners, but from the point of view of conflict prevention, in a region where intrastate and inter-state violence has often been generated by domestic ethnic and political instability, this is a fundamental contribution for the prevention of violent escalations of disputes. After the end of the Cold War it can also be verified that the AU played an important role in conflict prevention, dealing with situations that could have escalated into violent conflict. In the following instances the, AU/PSC Resolution1069 (XLIV) was invoked.

The AU has also been involved in conflict resolution and national reconciliation since the 1990s. It took part in post-conflict reconstruction in Liberia, Sierra Leone, Côte d'Ivoire, Guinea, Algeria, Angola, Rwanda and Burundi. The AU mission helped collect and destroy weapons from armed groups that had operated throughout the Horn of Africa and Great Lakes Region (Sturman and Hayatou 2010). In the 1990s, the AU monitored compliance with the peace accords and assisted in the removal of land mines. When a coup d'etat took place in Burkina Faso in September 17, 2015 and Burundi on May 13-15, 2015, the AU was the first organisation to react, issuing a resolution condemning the coup, and demanding respect for the democratically elected government.[8] A meeting of the AU Peace and Security Council of the

54-member pan-African bloc was called in Addis Ababa, pursuant to the mechanism established under Resolution 1069 (XLIV). The meeting called for full restoration of the rule of law, ordered all member states to impose a "travel ban and asset freeze on all members of the so-called National Committee for Democracy", which declared the coup, and for a list of its leaders to be compiled and circulated so they could be officially condemned as "terrorist elements" and announced the suspension of Burkina Faso (AU 2007). After the signing of the Peace Accords in Addis Ababa, the AU provided support for legislative and electoral reforms and promoted the peaceful resolution of conflicts (AU Commission 2010). The AU/PSC continues to fulfil a role in conflict resolution between states. In 2008 Cameroon and Nigeria signed an agreement at the AU establishing a framework for negotiations and confidence-building measures, to help maintain good bilateral relations while they seek a permanent solution to their longstanding territorial dispute over Bakassi Penisula. The AU is supporting that effort through its Fund for Peace. In 1994, Libya and Chad reached an agreement regarding their common border; the AU has played an important role in support of negotiations.

6. Conclusions

The article argued that the AU has followed the orientation of its mandate, particularly after the 1990s, in a limited but important area: preventive diplomacy. The organisation matters because it plays a role in preventing the escalation of both intra-state and inter-state disputes into violent conflicts. This article has pointed out that in different instances the AU played a relevant role in preventing the escalation of disputes into violent, or more violent, conflict. The capacity of the AU to generate communication channels through mediation and institution building is its greatest contribution. Three norms developed partly within the AU are part of the preventive diplomacy mechanisms in place: the drive towards the peaceful resolution of conflict; the norm of information sharing built into the confidence-building agenda; and the norm that stresses democratic institutional stability, associating democracy and security and allowing a more active multilateral interference in domestic political affairs. The pattern of behaviour observed above permits us to point out that institutions have been built, are functioning and have changed matters on the ground in several African countries, preventing violence. There is a need to stress the technical assistance given by the AU in several arenas to countries where the state apparatus or the institutions for conflict resolution are still fragile. The examples mentioned in this article pertain to information gathering, electoral assistance and other matters regarding political and judicial institutions. This assistance favours acquiescence to international norms and accords. On the other hand, looking at the data produced by the ACLED-Armed Conflict Location and Event Data, it is clear that between 1997 and 2016 the AU had an insignificant impact in cases when war and insurgency broke out. The most striking case for the present discussion is the war in DR Congo and South Sudan. DR Congo and Somalia represent the main security crisis in the region. The AU has been mostly silent about this conflict, although the Mission to Support the Peace Process in DR Congo and Somalia could become relevant in future peace negotiations. The AU has not developed a military capacity in spite of the experience in peace operations in Horn of Africa and Great Lakes Region; and the decision-making process based on consensus building in a context in which there is wide division in the region on security matters does not permit further activism. This article has aimed to show how the AU matters in the arena of security; but some words on the limits of its engagement should close this discussion. Nevertheless, the AU/PSC has assumed new responsibilities, particularly preventing sub-regional insurgencies from escalating into violence, and the principle of non-intervention has been challenged. Although the tension will remain between non-interventionism and greater activism on the part of the AU, the front lines have definitely been redrawn. The AU is an important forum for the diffusion of regional tensions, having generated a social space for negotiations and the production of legitimate norms. Although the African countries are more volatile than other regions of the world, a war has been taking place in DR Congo for the last 40 years, social tensions are high and many states are fragile, transregional and transnational insurgencies are not only intense and widespread but penetrate most state apparatuses, tension on several borders can be observed due to migration and the presence of refugees and territorial contentions still exist. Thus, although the AU, like other regional organisations, cannot tackle all the problems today treated as security issues, and in fact in my view should not, it remains an important institution for the management of security and cooperation. It needs much improvement, but as in all inter-governmental organisations this will depend on decisions made by sub-regional governments, social pressure and the learning process that takes place within the organisation itself. The debate on critical conceptual issues has yet to reach a point where the consensus agenda permits effective impact on the most pressing security problems of the region.

NOTES

1. OAU Charter, 1963, Articles III (1c) and Article IV (3).
2. OAU Charter, 1963, Articles III (1c) and Article IV (3).
3. OAU Charter, 1963, Articles III (1c) and Article IV (3).

4. ACLED includes data from 1997 to 2016, with real-time conflict data updated monthly for all of Africa and weekly for 30 high-risk states. Raleigh, Clionadh, Andrew Linke, Havard Hegre and Joakim Karlsen. 2010. Introducing ACLED-Armed Conflict Location and Event Data. *Journal of Peace Research* 47(5), 1-10.
5. ACLED-Armed Conflict Location and Event Data, 2016
6. ACLED-Armed Conflict Location and Event Data, 2016
7. ACLED-Armed Conflict Location and Event Data, 2016
8. ACLED-Armed Conflict Location and Event Data, 2016

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Jonathan's Constitutional Conference in Nigeria: A reflection and a radical critique

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The process of bringing forth a constitution is as crucial and important as the constitution itself. However, while this ideal has been institutionalized in many liberal democracies, it is yet to be fully embraced in many illiberal countries. In Nigeria, the focus of this discourse, the process of constitution-making is as old as the country itself but such processes had always followed the same pattern: elite-engineered, paternalistically-driven and above all, devoid of citizens' imprints via a referendum. It is against this backdrop that this article, in a retrospective and analytical manner, examines and offers a democratic critique ofNigeria's most recent attempt at Nigeria's constitutional engineering, the Jonathan's Constitutional Conference (JCC) of 2014. It observes that President Jonathan-initiated Constitutional Conference mimicked the paternalistic character of the previous attempts at constitution-making and as such the process is not markedly different from the old. It submits that as long as the state elites, acting on behalf of the hegemonic faction of the dominant class, continue to see constitution-making as their exclusive reserve and are always willing to defend even a bad constitution, the search for a people's constitution would continue.

Keywords: constitution, Nigerian state, referendum, hegemony, paternalism, Goodluck Jonathan

Introduction

While other forms of government can exist and even flourish without a constitution, a democracy, irrespective of its variant, has no meaning without a constitution. It is the existence of a constitution that sets a democratic model of governance from a non-democratic one. Put differently, no political system claims to possess a democratic credential in the absence of a constitution, the fundamental laws, rules and regulations according to which the state is administered and governed (Price 1970:44). However, as pivotal and central as a constitution is to a democratic order, the process of bringing it forth, into existence, is as crucial and important as the document itself. This is because the processes of its making and enactment determine how legitimate and acceptable it would be to the individuals and groups that are to be bound by its provisions. As established by constitutional historians and scholars, and proved by the experiences of advanced democracies, constitutions that are processed democratically via meticulous and painstaking efforts of the people and their duly elected representatives are more enduring, because of their wider acceptance than those imposed from above (Nwabueze 1982, 1993; Levine 1997, Jegede *et al*. 2000, 2001; Agbese 2000; Okon 2004; Osopitan 2004).

Reasonably and pragmatically too, democratic-driven processes, in which the citizens and their accredited representatives play active roles in constitution-making offer the best prospect not only for ensuring people's ownership of a constitution but also for establishing a legitimate and durable political order. As Ihonvbere (2001:65) lucidly, remarks, in the context of Africa, "participatory constitution-making is being used to build ownership and legitimacy around the constitution as a strategy for building democratic values and strengthening the national project".

Interestingly, while participatory constitution-making has become a *fait accompli* and institutionalized in the United States and other liberal jurisdictions (Riley and Battisomi 1987), what seems applicable in most African countries and

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some illiberal democracies of the global south is a complete opposite of this ideal. In these climes, the domains of constitution-making are fundamentally the exclusive reserve of the elites, with the attendant implications that the enacted or decreed constitutions not meeting the material and spiritual aspirations of the people, resulting in recurring demands for new constitutions. In Nigeria, the process of constitution-making is as old as the country itself, yet the country has not had a constitution, the making of which and resultant text is popularly acceptable to the various groups that are domiciled within it (Basiru 2010:105).

Although efforts have been made by successive regimes, colonial and post-colonial, to constitutionalize and reconstitutionalize the Nigerian polity, still the key national questions, as manifested today in ethnic conflicts, religious strife, indigeneship imbroglios, boundary disputes, etc. have remained unresolved. It is probably the realization of these realities and the imperatives of institutionalizing an acceptable constitutional framework for Nigeria that informed the latest attempt at constitutional engineering, by the regime of Dr. Goodluck Jonathan. On October 1, 2013, in his Independence Day broadcast to the Nigerian people, President Jonathan indicated the resolve of his regime to start a process that would lead to the convocation of a national forum that would hold dialogue on the constitutional future of the country.

As promised by the president, a Committee made up of eminent Nigerians and headed by Dr. Femi Okunronmu was set up within days. The Committee went to work and submitted its report to the president within the time frame. The report soon formed the basis for setting in motion the structures and processes that culminated in the convocation of the National Conference on March 17, 2014 by the president. The Conference headed by an eminent jurist and a former Chief Justice of Nigeria, Justice Idris Kutigi, worked for five months, at the plenary and Committee levels and produced the Report that was presented to the president on August 15, 2014.

Against this background, this article looks at Nigeria's latest attempt at constitutional engineering, the 2014 National Constitutional Conference, to assess whether it was markedly different from the previous attempts. Although it cannot be affirmed that, since the agenda was made public by the president on October 1, 2013, there have not been a plethora of commentaries from various strata of the intellectual community, about the perfection or imperfection of the processes leading to the Conference and its outcome, but there seems to be a paucity of well reasoned scholarly discourse. This article's significance, thus, lies in filling this gap.

In terms of organization, the article is partitioned into a number of sections, starting with an introduction pointing to the paper's background, significance and purpose. The second section presents the theoretical framework that guides the study. Part three reviews, in a chronological order, the evolution of constitution-making in Nigeria so as to understand the nature and character of the processes. The section that follows examines the 2014 National Conference, connects and compares the process of its making to the previous conferences. The fifth section attempts to explain why the search for a popular and legitimate constitution, in Nigeria, seems elusive. Section six concludes the paper with a number of submissions.

Theoretical framework of analysis

In the literature on the process of constitution-making in a liberal society, two theoretical perspectives have held sway. These are the process-led/democratic theory and the elite-imposed theory (Agbese 2000: 90). The first, drawing inspiration from Aristotle's *Politics*, posits that since ordinary people, the *demos*, are the sovereign and objects of political participation, in any polity, they must be the major actors or players in the processing of the constitution that guides their lives (Pateman 1970). The people, the theory contends further, should be allowed to participate directly or through the representatives sanctioned by them, in all political activities including setting the constitutional agenda (Osipitan 2004: 30). Thus, instead of rationalizing people's inactiveness, the proponents of this theory suggest the transformation of the apathetic people into active democratic participants (Basiru 2010: 106)

Conversely, the elite imposed theory argues that the task of drawing up a constitution for the polity must not be left to the generality of the people. Armed with the Platonic conception of elite's rationality, the theory posits that the domain of constitution-making in particular and policy-making in general should be monopolized by a crop of few highly learned, detached and politically informed elites. In other words, the 'more rational' should impose a constitution on the 'lesser minds' (see Ikpe 2008). Thus implying that the people, in the process of constitution-making, are passive spectators, who are mere consumers of the constitutional outputs, given to them by the ruling elites.

The foregoing two theoretical perspectives, no doubt, provide the basis for understanding the process of making constitutions in any society and indeed mirror the realities in most societies, but the latter seems to approximate the realities of most ex-colonies in Africa where 'the people' are hardly the players in constitution-making and design. However, its major snag is that it, like the former, was developed within the framework of ahistorical modernization paradigm and as such leaves out state-class relations in the analysis of the constitution-making process in a given social

formation. Also, aside from positing that the elites monopolize the constitutional agenda, it fails to explain the class interest behind such monopolization. What is therefore suggested and deployed for the purpose of this study, given this theoretical gap, is an approach that examines the relationship between the state and social classes in a given mode of production. The conviction here is that once the nature of such relationship is established, the role of the state and its custodians in constitution-making becomes clearer.

Instructively, the theoretical debates about the relationship between the state and social classes, in a capitalist society, have largely been shaped by two contradictory perspectives: the class-mediation and the class-domination theories (Sweezy 1942:55). However, the latter fits the purpose of this paper. Styled as a neo-Marxist theory of state-class relations, the state, the theory posits, given the circumstances that led to the emergence of the state in a capitalist society, cannot be neutral in the society (Baran & Sweezy 1966:36). As Miliband (1977:67) avers, "The state is not above class struggles but right in there. Its intervention in the affairs of society is crucial, constant and pervasive; and intervention is closely conditioned by the most fundamental of the state's characteristics, namely that it is a means of class domination ultimately the most important by far of any such means." However, he contends that, in spite of the state's interventionist character, it is still not just a mere instrument but is relatively autonomous of the dominant class. Again, he submits, "The notion of the state as instrument does not fit this fact and tends to obscure what has come to be seen as a crucial property of the state, namely its relative autonomy from the ruling class and from the civil society at large" (Miliband 1977:74).

Central to his thesis here is the concept of relative autonomy which is vital to explaining the state-society relations in the Third World. For example, Ake (1985a:105-14) refrains from referring to social formations in Africa as independent states. According to him, "in Africa, there are few social formations that are capitalist enough or socialist enough to be identifiable as clearly boasting the state form of domination" (Ake 1985[b]:108). Implying that the state, in Africa, unlike its counterpart in the core capitalist countries, is not autonomous of the contending social forces and always vulnerable, to be captured by the hegemonic faction of the dominant class. In the context of this article, it would soon be demonstrated how such feature has played out in constitution-making arena, but before this it is imperative to put Nigeria's experience in constitution-making in historical perspectives.

Nigeria's constitutional engineering, 1914-2005: A conspectus

The history of constitution-making in Nigeria can be best comprehended in the context of the evolution of the Nigerian nation-state. Nigeria, a land of 374 ethnic groups (Nnoli 1995:27) inhabiting an area of 913,027.64 square kilometers (Oshuntokun 1979:92) like any other Anglophone African State was the creation of British imperialism. In fact, British penetration of Nigeria began with the annexation of Lagos in 1860, on the grounds of stopping the slave trade. It ended with the seizure of what is today known as Nigeria (Azikwe 1978:41). Like other entities the British territorialized in Africa, the penetration started from the coastland and later extended into the hinterland. To the West of the River Niger, there was the penetration through Lagos. This later extended into the Yoruba hinterland. In order to safeguard the British palm oil trade, the Foreign Office penetrated the south eastern part of Nigeria.

During this process, Sir George Goldie of the Royal Niger Company (RNC) was laying the foundation for the eventual take-over of Northern Nigeria. By 1900, the territories of the North, West and East had come under colonial administration. In 1906, they had been reduced to two: the Northern Group of Provinces and Southern Group of Provinces (Ballard 1971:334). The two separate administrations were placed under one man, Sir Frederick Lugard, in 1912, with the instruction to unite the two entities into one single entity. By 1 January 1914, the two entities became one country through three legal instruments (See Lugard 1926; Oluyede 1992). In earnest, the process of constitution-making began. Thus, from 1914 to 1960, a number of constitutions, with each phase accommodating a number of constitutional developments, came into operation. Starting with Lugard's constitutional arrangement of 1914, about six constitutional frameworks were introduced by the various colonial regimes before 1959 (Coleman 1958).

However, it is instructive to note that each had its features and modalities depending on the politico-economic realities of the epoch. For instance, while Lugard's arrangements institutionalized the appointive principle, the Clifford Constitution of 1922 made provisions for elective frameworks. On another score, the Richards Constitution of 1946 was markedly distinct from its predecessor. While the former reinforced disunity by administering the north and the south separately, the latter attempted to unify the politico-administrative units of the country (Ezera 1960). Also, it is worthy of note that the pre-1950s constitutions were made and imposed by the colonial regimes without consultation with the natives, but this attitude changed in the 1950s following the Macpherson Constitution which involved many Nigerians at the village, divisional, provincial and regional levels. As Lawal (2000:37) lucidly avers, "in Nigeria as elsewhere, the process of colonial reforms and eventually decolonization included constitution making." In subsequent constitutions, the 1954 and 1960, the emerging nationalists were involved in the processes leading to their births.

What is clear from the foregoing is that colonial initiated constitutions from 1914 to 1960 had two phases. During the first phase, 1914-46, the constitutions in place were not only non-autochthonous, because of their imperial authorization; they were devoid of popular participation. As Ojo remarks:

> All that happened particularly with the 1946 Constitution was that the Governor merely drafted the constitutional proposals for the review of the 1922 constitution. These proposals embodied in the white paper published in the UK and in Nigeria were submitted to the Legislative Council for approval. They finally received British parliamentary approval (Ojo 1987: 62).

During the second phase (1946-1960), due to internal and external pressure, the colonial authorities, as part of the decolonization strategy, began to involve more Nigerians in constitution-making processes. However, the fact remains that the final authorization still lay with the political elites of the Church House.

On 1 October 1960, Nigeria attained independence with a constitution which was a product of the various conferences held in Lagos and London between 1958 and 1959. The independence Constitution, it must be emphasized, though it received inputs from 'selected' representatives of the dominant political parties, was also non-autochthonous, like the 1954 Constitution, because it derived its authority from the British Parliament. It was the 1963 Republican Constitution that signaled the departure from the non-autochthonous path. The Constitution removed the last vestige of British Monarchism as the Queen of England ceased to be the Head of State of Nigeria. Though autochthonous, being wholly processed by Nigerians, the process of its making was not democratic.

It came into existence following the amendments effected to the 1960 Constitution from the decisions and recommendations by an all-Party Constitutional Review Committee. As Osipitan (2004: 15-16) remarks, 'the 1963 Constitution was not processed by the elected representatives of the people. There was neither a Constitution Drafting Committee nor a Constituent Assembly which drafted and examined the Constitution respectively'. Unfortunately, the republic, due to a combination of forces, some of which have been well documented in literature, collapsed on January 15, 1966 (see Dudley1973; Mackintosh 1966, Post and Vickers 1973). By virtue of section 3(1) of the Constitution (Suspension and Modification) Decree 1966 and Section (1) of the Constitution (Basic Provision) Decree 1975, the military assumed overwhelming power in all spheres of the country's body politik (Ijalaye 1977).

The first military regime of Major General Aguiyi Ironsi, on assuming power, set up three study groups to examine the constitutional, administrative and institutional problems of the federation. However, before the Committee could complete its assignment, it was stopped by the promulgation of the Constitution Suspension and Modification Decree No. 34 of 1966.The regime not only re-christened the Federal Military Government but also re-designated each Region as Group of Provinces under Military Governors appointed by the Military Head of State. Specifically, Section 3 of the same Decree unified the Federal and Regional civil services as one single Public Service known as the 'National Public Service' (Dickson 1993:4)

Following the death of Ironsi, the new regime of General Gowon initiated a new process. Like his predecessors, he set up an *ad hoc* Constitutional Conference to make recommendations for the political future of the country. However, the regime could not make any headway as the nation was engulfed in a civil war. After the war, General Gowon launched a nine-point programme for the return to civil rule, which included a new constitution. He was, however, overthrown on July 29, 1975. It was his successor General Murtala Muhammed who now set the stage for the writing of a new constitution. Upon consolidating power, he announced a five-point programme of political transition which included the setting up of the constitutional Drafting Committee (CDC) in September 1977. However, he could not see the transition to an end as he was assassinated on February 13, 1976. His successor and erstwhile deputy, General Olusegun Obasanjo, continued with the agenda.

Specifically, the process that led to the making of the 1979 Constitution commenced with the inauguration of the fifty-man Constitutional Drafting Committee under the leadership of Chief Rotimi Williams in October 1975. The Committee produced the draft which was debated before being forwarded to the Constituent Assembly. The Assembly deliberated on the draft Constitution and made their amendments before forwarding it to the Supreme Military Council. The Council accepted most of the recommendations of the Assembly but the Council tampered with the draft by inserting some decrees in the final constitution.

On October 1, 1979, the country returned to civil rule once again, with a brand new constitution; the expectations were high that the new order would stand the test of time, but the expectations were dashed four years later when the military, again, struck on December 31, 1983. The nation thus reverted to military autocracy. Indeed, the nation, as it has been argued elsewhere, became a laboratory for conducting constitutional experiments (Basiru 2010: 111). In fact, except for the short-lived Shonekan regime, the others were military Generals. While General Muhammadu Buhari did not have any agenda for constitutionalizing Nigeria; others (Generals Babaginda, Abacha and Abubakar) had. However, it was only the Abubakar regime that succeeded in transiting Nigeria into a constitutional democracy. It must be

emphasized, however, that the 1999 constitution closed the second phase of the military-imposed constitutions in the country. The 1979, 1989, 1995 and 1999 constitutions were all supervised by the military; none was popularly adopted by the people. Though the processes leading to their emergence were comprehensive, involving many actors and players, the juntas had the final say.

On May 29, 1999, after fifteen years of military autocracy, the country returned to democracy, under the 1999 Constitution. However, it was not long before its legitimacy began to be called to question by different segments of the Nigerian society. Indeed, there was a general consensus among the majority of knowledgeable Nigerians that the Abubakar's Constitution, as it is popularly called, like the past military-brokered constitutions, cannot meet the expectations of different sections of the country. In fact, some groups like the Patriots, led by Chief Rotimi Williams, called for the convocation of a Sovereign National Conference (SNC) where every nationality would be represented for dialogue on the contentious issues of the country's national existence and decisions taken at such a forum would not be subject to review. The group even went to the extent of preparing a bill for the National Assembly on how this could be achieved (Nigerian Guardian 11 October 2000:8-9).

However, such a demand was not acceptable to the presidency and members of the National Assembly, who contended that there cannot be two sovereign authorities in the country, but nevertheless agreed that the country needed national dialogue, which recommendations could be used by the National Assembly. President Obasanjo, probably sensing that should the request of the Patriots and other groups come to fruition, the 1999 Constitution, from which his presidency derived its existence, might be set aside. He chose the option of initiating the amendments to the existing constitution by setting up a presidential committee to carry out an assessment of all possible areas of defects in the 1999 constitution. The committee, in the course of its assignment, solicited and received about two million memoranda and took one and half million oral presentations (Nigeria 2002:35), but despite the efforts of the presidency, through the committee, the modalities were not acceptable to the pro-SNC groups.

Soonest, the regime danced to the tune of these groups, but substituted SNC for National Political Reform Conference (NPRC). At the convocation of the conference, on February 21, 2005, the President charged the 400 nominated delegates as follow:

> After almost six years of operating our constitution (1999 constitution) and working with existing constitutional arrangements, we can identify some areas of weakness. We considerate it opportune and timely to think and talk together to strengthen our structure, system and arrangement. It is time to confront these challenges with honesty, courage, commitment, realism, understanding and patriotic disposition for the good of the nation (emphasis added, quoted in Anifowose & Babawale 2006: 27-28).

It must be emphasized that aside the fact that the presidency handpicked the 400 delegates; it also crafted the agenda for the conference (Obiagwu 2005). Having set out the agenda, the president tactically limited the scope of the agenda by setting a no-go area for the conference (Onuorah 2005). For months, the delegates met and deliberated amidst controversies and acrimony over contentious issues such as rotational presidency and resource control. Eventually, the conference ended with myriads of controversies. These coupled with the illegality that attended summoning by the president as well as the undemocratic manner in which it was constituted, made the agenda another wasteful exercise (Ajayi 2006). Thus, like other autocratically-imposed constitutional agendas, it failed to meet the aspirations of many Nigerians (Oladesu 2005).

Jonathan National Conference (2014)

To begin with, Jonathan's constitutional agenda must be situated against the background of events that heralded his regime on the May 3, 2010. Obasanjo, the second executive president of Nigeria, had left office on May 29, 2007. He was succeeded by Umaru Yar' Adua, who also inherited the 1999 Constitution. As in the preceding regime, the agitations for a better constitutional order continued, but the regime rather concentrated its efforts on electoral and economic reforms. Although the regime also recognized the imperatives for a national dialogue, it never set in motion machinery to actualize it. On May 3, 2010, following months of needless crisis over the president's ill-health, the regime of Umaru Yar'Adua came to an end as the president passed on. He was immediately succeeded by his vice, Dr. Goodluck Jonathan.

Unrelentingly, the proponents of genuine national dialogue continued with their agitations, insisting the Obasanjo's agenda was not what the country needed. Consequently, the presidency and the National Assembly came under intense pressure from various groups. In 2012, the National Assembly, in response to the calls by civil society for a national dialogue, initiated efforts towards a review of the 1999 Constitution. However, the National Assembly reiterated the position of the previous Assemblies, insisting that the Sovereign National Conference is untenable as there can only be one sovereign. As the Deputy Leader of the House of Representatives, Hon. Leo Ogor, puts it, 'we are the true

representatives of the people and any constitutional matter must be left to the National Assembly to handle' (Ogor 2013).

President Jonathan, on his part after an initial *volte face*, responded to the continued agitation for a National Dialogue by constituting a high-powered Committee on the Review of Outstanding Issues from Recent Constitutional Conference under Justice S.M. Belgore (Nigeria 2014). The Committee was mandated to examine the relevance and currency of the recommendations of the previous Conferences which were not implemented, draft bills for consideration (where necessary) and propose policy guidelines for the implementation of those recommendations. Specifically, on October 1, 2013, the President eventually succumbed to the agitators for national dialogue. In his Independence Day broadcast to the nation, he declared the intention of his Government to organize a National Dialogue as a way of resolving the intractable security and political crises in the country. He remarked:

> our administration has taken cognizance of suggestions over the years by well-meaning Nigerians on the need for a National Dialogue on the future of our beloved country … In demonstration of my avowed belief in the positive power of dialogue in charting the way forward, I have decided to set up an Advisory Committee whose mandate is to establish the modalities for a National Dialogue or Conference (Jonathan 2013).

In pursuance of his resolve, he set up a 13-member Presidential Advisory Committee on National Dialogue with Senator Femi Okurounmu as Chairman and Dr. Akilu Indabawa as Secretary. On October 7, 2013, the Committee was formally inaugurated and was charged with designing the framework for the National Dialogue including suggesting the appropriate name and nomenclature of the Dialogue, its legal framework, time frame, mode of representation, and modalities of implementing the decisions of the Dialogue. Their assignment was initially billed to last four weeks, but the Committee's Chairman pleaded for two weeks' extension. The request was graciously granted by the president (Punch 8 October 2013). In earnest, the Committee started work. It toured 13 cities, two in each geo-political zone and the FCT Abuja and interacted with more than 7,000 Nigerians. It also received thousands of memoranda from individuals, groups, and professional associations (Nigeria 2014:23).

Following weeks of intense work, the Committee submitted its report to the President in December 2013. The President accepted the Committee's recommendation for the convening of a National Conference. On March 17, President Jonathan inaugurated the Justice Kutigi-led National Conference of 492 Delegates with a mandate to deliberate on all matters that militate against Nigerian's national unity and progress (Vanguard 18 March 2014:1). He enjoined the Conference to complete its assignment and to submit its report to Government. After adjourning for a few days, the Conference commenced with the consideration and adoption, with amendments, of the Draft Rules of Procedure presented to them by the Secretariat. However, one issue in the Rules of Procedure that almost derailed the Conference was the decision-making procedures. While the controversy lasted, delegates were polarized into two camps.

In the first camp were those who rejected the proposal to take decisions if consensus fails by a 75% majority. They opined that, arithmetically, the 75% majority proposed as the benchmark for arriving at decisions when consensus is not possible, is much higher than the normal two-thirds. So they suggested that to avoid complications and confusion, decisions should be reached where consensus is not possible by a simple majority. They suggested that this would be consistent with the best democratic practice. In the other camp were those that supported the retention of the decision-making benchmark as proposed in the inaugural speech by the President (Nigeria 2014:74). The whole issue, after days of bickering, was eventually resolved through the intervention of the '50 Wise men/women' who recommended a compromise of a 70% majority (Nigeria 2014: 74).

Having settled the issue of Rules of Procedure, the Conference commenced plenary work with the debate of the President's Inaugural Address. After two weeks of robust debates and exchanges of views by the delegates, the Conference went into the Committee stage where the bulk of the Conference work was done. The leadership of the Conference distributed delegates into 20 Committees. The Committees worked for a period of six (6) weeks, produced Reports which were presented and discussed in the Plenary on the basis of which the Conference took decisions. The plenary's decisions and resolutions on the Committees' Reports formed the document that was presented to the president on August 18, 2014. The president, while receiving the Conference Report, thanked the Conference Management Team and the entire body of Conferees for serving the nation for almost 5 months. He reiterated his commitment to work with recommendations of the Conference. The Conference wound up with the remarks by the Chairman.

President Jonathan, like many of the regimes before him, saw the inherent weaknesses and contradictions in the governing constitution, upon which his government had based its power, and saw the imperatives of addressing those contradictions, in line with contemporary realities and challenges. By his admission, 'we cannot continue to fold our arms and assume that things will straighten themselves out in due course, instead of taking practical steps to overcome impediments on our path to true nationhood, rapid development and national prosperity' (Vanguard March 18 2014:1).

However, like his predecessors, who had also charted a similar course, the process was far from being democratic. Indeed, right from the time that his agenda of recostitutionalizing Nigeria was made known to the nation, in his Independence Day broadcast, through the setting up of the Okunronmu-led Technical Committee, the collection of memoranda by the same Committee to the nomination of delegates for the conference, the process was technocratic rather than democratic.

The process seems to have followed the country's established patterns of constitution-making: the setting up of Review Committees to prepare a draft, the 'nomination' of delegates for a Conference, the inauguration of an Assembly by the Convener, the submission of the Assembly's draft reports to the government, the release of white papers following minor tinkering and decreeing the report into laws in the absence of a national parliament or sending such to the parliament if it is in existence. It then appears that the Conference Report, like others that were products of similar projects, may remain unimplemented. Should the report have even been implemented by the presidency or incorporated into the 1999 Constitutions as amendments, it is still not a legitimate, people-oriented document, because the process did not pass through democratic rigour.

The key ingredients of a democratic constitution-making process were obviously lacking: direct elections of delegates and most importantly, the ratification of the constitutional document in a national referendum by 'we the people'. The position of Ige, is instructive,

> no amounts of consultations with Obas, Emirs, Obis, Obongs and Chiefs, no amount of seminars and workshops with professionals and other groups, no amount of public discussions on radio, televisions, newspapers and other forms can be a substitute for popular election or referendum. That is the only way the people's democratic will and power can be demonstrated and gauged. All other methods are mere bamboozlement (quoted in Osipitan 2004: 30).

It is thus obviously clear from the foregoing that President Jonathan's 2014 reconstitutionalization agenda is in terms of character and procedures not markedly different from the previous agendas. This raise one fundamental question: why has the reconstitutionalization agenda in Nigeria followed the same pattern? This leads us to the next section.

State, class and constitution-making in Nigeria

The reason why constitution-making processes in Nigeria have always followed the same pattern cannot be treated in isolation. It needs to be situated in the character of the post-colonial Nigerian state and its relations with the social classes (see Ekekwe1986). As Ake (1996: 7) puts it: 'much of what is uniquely negative about politics in Africa arise from the character of the state, particularly its lack of autonomy, immensity of its power, its proneness to abuse, and lack of autonomy and lack of immunity against it'. Put differently, the post-colonial Nigerian state, though immensed in terms of power, is not autonomous from the social forces and thus not a neutral entity in the dialectical struggles for power. However, as fascinating as the above contention is, it cannot be divorced from the country's political history.

Foundationally, its precursor emerged in a manner that was nothing but undemocratic. Unlike the American federal state that emerged organically through the franchise of the peoples, the Nigerian colonial state was forcefully cobbled together by the forces external to it (Nwabueze 2003:62). So *ab initio,* the state that emerged in Nigeria was an imperial *force majeur* that saw laws as instruments of domination and oppression. The colonial state in Nigeria did not see constitution-making as the business of the oppressed natives. Even by the time the colonial state saw the expediency of Nigerianizing the process of constitution-making, responsibilities were entrusted and appointed to the emerging petty bourgeoisie. At independence in 1960, the colonial state apparatus remained intact. The post-colonial state was not structurally different from its precursor, as there were changes without change (Odukoya 2006: 247). It continues to serve the interests of the class that has hijacked it, either through elections or by *coup d'état*. This class like its precursor continues to see the arena of constitution-making as its exclusive right, with occasionally a token gesture in the form of pseudo-national conferences. The issue here is that the post-colonial Nigerian state has not shed its colonial garb. Irrespective of the regime in power, it still retains its awesome power, always ready to be deployed to protect the legal order that serves the interest of the dominant class in Nigerian society.

Conclusion

This paper, in a historical and analytical manner, has examined the latest attempt at constitutional engineering in Nigeria, the Jonathan National Conference (JNC), to determine whether it was markedly different from the previous attempts. It was noted that, unlike the practice in liberal democracies and some Francophone African countries, where people directly, or through their representatives process, approve constitutions and key policies of the state, through referenda, the opposite has always been the case in Nigeria.

However, in a radical departure from the conventional legalistic appraisal of constitution-making processes in Nigeria, often favored by legalists and jurists, the paper adopts a radical approach which views the undemocratic nature of constitution-making in Nigeria through the lens of bourgeois domination supervised by a non-autonomous state. In this context, it contends that in Nigeria, the state, acting on behalf of the hegemonic faction of the dominant class, has always seen constitution-making as its exclusive reserve and is always willing to defend even a bad constitution. It is argued that since the latest constitutional agenda was conceived and instrumentalized in the context of the old procedural paradigm and mindsets, it could regarded as the same as the old; a clear replica of the old order. Emanating from this thesis, it is submitted that as long as such structure continues, the quest for a people's constitution in Nigeria would remain elusive. Putting things back requires the restructuring of the over-centralized Nigerian state via an autochthonous constitution-making process.

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