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ETHICAL ISSUES IN THE MARKETISATION OF EDUCATION: THE CASE FOR SOCIAL JUSTICE AND MARKET-ORIENTED REFORMS IN UGANDA'S HIGHER EDUCATION

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Abstract:
The article examines the case of social justice and marketisation /commodification of higher education in Uganda. It argues that in order to underscore ethical issues posed by educational markets particularly in the area of social justice, it is prudent to revisit the salient principles of social justice as well as the ideological assumptions underpinning educational markets. Consequently, a view is explicated: That contemporary market driven reforms to higher education in Uganda will result in the relegation and de-emphasis of educational ideals. In turn, it is concluded that ethical issues inherent in a change of philosophy from the individual student, representing a pedagogical orientation, to business efficiency representing a managerialist orientation are a human tragedy that warrant concern and scholarly scrutiny.

Introduction

In Uganda, as elsewhere in Sub-Saharan Africa (SSA), the mid 1980's marked a fundamental restructure in the economic and social activities to harmonise with the dictates of market rationalism. Premised on the assumption that the market model would unseat contemporary problems, the metropolitan, post-industrial, pluralistic and affluent north carried out reforms under the banner of international competitiveness. Conversely, in the afflicted and impoverished south reforms were imposed and dispensed through Structural Adjustment Programmes (SAP's) prescribed by the World Bank and International Monetary Fund (IMF). The impact of World Bank policies on higher education in Africa cannot be underestimated. Indeed, with a citadel of intellectual and financial resources, the World Bank has given rise to unassailable fortress and legitimacy of discourse that bars alternative conceptualisation of solutions to the crisis of higher education in Africa (Omari, 1991; Mbilinyi, 1992).

In Uganda, market driven reforms to higher education tend to be characterised as having an overriding concern with value for money at the expense of value-added. It is increasingly becoming apparent in some higher education institutions in Uganda, that student concern is only possible within predetermined funding, capable, and resource-constrained parameters. Arguably, the market panacea espoused by policy responses to the crises of the1980's tend to obscure the relationship between education and social justice.
As the Uganda experience will demonstrate, education marketisation particularly in universities contributes to drop-out and eventual low occupational status and income. Consequently, problems that are of fundamentally ethical nature become immediately prominent.

It is argued that in order to underscore ethical issues posed by educational markets particularly in the area of social justice, it is prudent to revisit the salient principles of social justice as well as the ideological assumptions underpinning educational markets. It is worthwhile to highlight that the principles of social justice include fair processes, just outcomes and collective responsibility. Conversely, individualism, privatisation, and market rationalism seem to prevail under commodification of education. It is the contention of this author that contemporary market driven reforms to higher education in Uganda will result in the relegation and de-emphasis of educational ideals. For instance, a political ideology that legitimises a conception of education which emphasises the development of the whole person and the seeking of knowledge as a common good is steadily being replaced by a political ideology sustaining a conception of education that emphasises its economic role. As a result, in the education sector particularly higher education there has been *wholesale reconstruction* (Riseborough, 1985) or transferability of business concepts, aims and purposes to education (Bottery, 1992), and a move towards a radical market orientation in education policy (Ball, 1993; Simkins et al., 1992). In the circumstances, it would be reasonable to assume that education has now become an arena where business can be conducted and profits made. Put differently, higher education in Uganda is up for grabs for those with the ability and capacity to put the necessary infrastructure and hire requisite personnel. Ethical issues immediately become apparent.

It is within this understanding that this discussion sets out to explicate the notion of social justice in education. Three strands of justice are explored:-procedural justice; distributive justice and the social action. It is contended that neither of the categories provides sufficient criteria for social justice because the combination of fair procedures, fair outcomes and collective responsibility is imperative in fostering social justice. Furthermore, the paper examines the impact of market driven reforms on higher education in Uganda. Additionally, ethical issues inherent in a change of philosophy from the individual student, representing a pedagogical orientation, to business efficiency representing a managerialist orientation are explored. The article considers this change as a human tragedy that warrants concern and scholarly scrutiny.

In a sober search for resolutions of ethical issues underpinning market rationalism in Uganda's higher education, the Kantian-utilitarian framework is recommended. Indeed, the article advocates the Kantian doctrine of justice and the utilitarian moral thinking which as Banks (1995) argues are firmly based in the liberal tradition of individual rights and duties.

The Notion of Social Justice in Education

In the liberal welfare state, the pursuit of social justice ranks as one of the most acclaimed purposes for social policy reforms including educational policy reforms. This notion of social justice, it is claimed, hinges on principles of justice such as equality, equity, affirmative action and equal educational opportunity. Nonetheless, these claims must be treated as problematic and indeed merit scrutiny and deconstruction because they are constrained by the relations of power in socio-economic and political contexts, as well as ideological assumptions about education. Rizvi and Lingard (1992:1) contend that social justice does not have a single essential meaning. Indeed, "*...words do not stand for some kind of essential object but have a more open texture; their meaning is to be found in their use in thought and action, in the description, interpretation, organisation and evaluation of behaviour...*". This chimes well with (Secada, 1989a; Apple, 1993) contemplation that educational concepts are not only subject to a morass of ideological conflicts but are also constantly defined and re-defined to suit particular purposes. In fact, the references to equity and social justice, Apple (1989) argues, are sometimes made only as a political appeal to popular sentiments in order to get adherents and justify the need for reforms. In

the circumstances, it would be reasonable to assume that appeal to equity and social justice in education in most Sub-Saharan Africa (SSA) and Uganda in particular, is merely a policy rhetoric, targeted at changing the conventional patterns of interpretations particularly among the impoverished peasantry of the afflicted South. Congruent with the same thinking, Troyana and Williams (1986) cogently posit that such appeals tend to advance group interests without specifically addressing pertinent issues central to equity concerns.

The author considers it imperative to set out some operational specifications of social justice in order to clarify our understanding of the concept. In this article, I contend that other stances of social justice notwithstanding, three salient categories merit explication. These are *procedural justice* based on the processes or procedures; *distributive justice* which denotes not only *just* processes or procedures but *just* outcomes; and the *social action* which derives its strength from its emphasis on collective responsibility and recognition of specific needs. A caveat should be made, however, that what tends to distinguish the three strands of social justice lies not in the conviction that they have nothing to offer each other, but in the fact that the criteria of justice in the three facets of justice are not always necessarily the same. As will be made clear, often some categories emphasise certain aspects at the expense of others.

Whilst *distributive justice* is inclined to distributive principles, *procedural justice* adheres to aggregative principles. For instance, the Kantian conception of justice infers that compulsion is the antithesis of freedom. Indeed, Kantian justice, Rosen (1993:175) argues, concerns itself exclusively with the "*...the form of relationship between wills in so far as they are regarded as free, and whether the action of one of them can be conjoined with the freedom of the other in accordance with a universal law...*". For Miller (1976), an *aggregative* principle of justice connotes the total amount of goods enjoyed by a particular group. Conversely, a *distributive* principle of justice, Miller insists, is the share of that good which different members of the groups have for themselves.

The *entitlement view* of social justice as conceived by Nozick (1976) falls under *procedural justice*. He opines that it is crucial to protect the freedom of individuals to compete so that it is the justice of competition that prevails. For Rizvi and Lingard (1992) what should count at the end of the day is "*...the way the competition is carried on, not its results...*" (p.7). For instance, in Uganda *procedural justice* in education particularly at the primary level takes the form of statements like "*...ability not privilege counts. Family background, creed, race or gender will neither be an advantage or a limitation in getting the desired opportunity...*" (White Paper, 1992). Whilst such a statement may appeal to meritocracy and is seemingly just, it nonetheless, may not lead to social justice for its apparent neglect and disregard of unearned advantages or limitations accrued from ones creed, family background, gender or even race. For instance, children from affluent families in Uganda have an added advantage in that they can afford to pay the prohibitive tuition charged in most of the top primary and secondary schools and later join high quality universities abroad., The case of tribalism in a multi lingual country like Uganda and ethnic minorities in multi racial metropolitan countries are rife examples to add credence to this claim. Arguably, it would be reasonable to assume that equal competition in Uganda's system of education is used to rationalise unequal outcomes which is ethically repugnant. What raises disturbing ethical questions is that *procedural justice* mainly in (SSA) and Uganda in particular appeals to those in power, because it tends to be less disruptive to the status quo since it solely in essence replicates existing class strata's.

Conversely, *distributive social justice* is inclined to the distribution of good(s) according to need and rights. Indeed, distributive social justice is tightly connected with the concept of fairness and justice (Bierhoff et al., 1986; Secada, 1989; Apple, 1993; Codd, 1993;). For Rawls (1972) the

notion of *distributive justice* is based on dual principles--equality in the assignment of basic needs and resources; and social and economic inequalities only in so far as there compensating benefits for everyone especially the least advantaged. Arguably, Rawls's notion of justice makes some unequal treatments tenable. The author opines that there is need to treat Rawls's contention of justice with some caution. Indeed, Rawls's *Difference Principle* which is the core of his concept of justice and fairness is keenly aware of the inescapable differences allotted at birth. In his own words "*...we may be born free or equal, but environment, genes, gender, and material inheritances soon take over...*" (Rawls, 1993:291). Voicing similar sentiments, Sen (1992) argues that the real issue is inequality, not equality. Arguably, in Sen's conception, the rhetoric of equality can divert us from the fact that since we are so varied by nature and fortune, social evaluations have more to do with inequality and its rectification. Ideally, the criteria for discrimination and intended outcome should be clear and just in social terms. For instance, it is ethically wrong and socially unjust to push children from rural poor communities in Uganda into programmes offered in urban international schools because that will curtail their social mobility later on in life.

It is appropriate to highlight that education is a social phenomenon, which ought to cater for the social needs of society. This echoes the Kantian doctrine of *justice* which as contended by Banks (1995) rests on respecting the individual as a rational and self-determining human being. Thus, the ethicality of equity in education as Secada (1989:69) infers, "*...should be construed as a check on the justice of specific actions that are carried out within the educational arena and arrangement that result from those actions...*". Sufficiently comparable is Spicker's (1988) view that social justice should aim at the removal of disadvantage in competition with others by giving people the means to achieve socially desired ends.

A close perusal of the three notions of justice is indicative that neither category provides sufficient criteria for social justice. In order to foster social justice, it is imperative to have a combination of fair procedures, fair outcomes and collective responsibility. It is plausible to note that equality of educational opportunity may be a complex social problem in its many effects on the individual and in some social and political systems may be complex and difficult too in its opportunities for ready practical solutions. But ethically and intellectually the problem presents itself with admirable lucidity. As Brown (1985) puts it, it violates, without qualification, the fundamental, irreducible, formal notions of justice, morality and education. Accordingly, it is contended that ethically, there is need for educational policies in Uganda that contribute to social justice and promote fair processes or procedures so as to ensure just educational outcomes. It is within this understanding of social justice in education that the ethical issues which underpin the impact of market-oriented reforms on higher education in Uganda are discussed.

Market Driven Reforms and Higher Education in Uganda

The trend in recent years towards contemporary radical, market driven reforms to higher education in Uganda is part of "*...world-wide manifestations of the market, responsiveness, entrepreneurialism and corporatism...*" (Parkes, 1991:41). Such developments have been rapid in (SSA) particularly Uganda but problematic particularly in higher education. As Hopkins (1991:1) cogently posits that educational institutions have encountered multiple dilemmas created by "*...seemingly contradictory pressures for centralisation (i.e. increasing government control over policy and direction) on the one hand, and decentralisation (i.e. more responsibility for implementation, resource management and evaluation at the local level) on the other* (p.1). Put differently, the preoccupation at all levels of policy formulation with quality assurance in education particularly in the capitalist world, is a manifestation of a market ideology, since the overwhelming concern is with quantitative performance indicators which are derived in industry

(Elliot, 1993); and lead to the increasing bureaucratisation of education (McElwee, 1992) and a drift towards creeping managerialism (Beecher and Kogan, 1992).

In Uganda, *commodification* of higher education is steadily paving way to the introduction of explicitly consumerist policies, dominated by the free market and individualistic impulses. Increasingly, therefore, higher education in Uganda through World Bank (1987) policies is being pressed towards principles of individualism, competition, consumer choice and cost efficiency thus entering into a variety of purchaser/provider relations. Several ethical issues are immediately apparent.

First, in seeking to understand the ethical issues created by marketisation of higher education in Uganda, one has to understand the basis for these reforms. Apparently, in most tertiary institutions in Uganda, there is a shift whereby a political ideology that legitimises a conception of education which emphasises the development of the whole person is being replaced by a political ideology sustaining a conception of education that emphasises its economic role. It is my contention that this change of philosophy in focus from the individual student, representing a pedagogical orientation, to business efficiency, representing a managerialist orientation is an ethical issue that warrants concern and scrutiny. As Bottery (1992) argues if morality is defined as that area concerned with the ways in which people individually or in groups, conceptualise, treat and affect themselves and other living beings, then the management of educational organisations should be concerned with the moral education of those within it. Moreover, good management of educational institutions must stem from an appreciation of their ultimate purposes, rather than from the exigencies of crisis management. It is argued that the market model of higher education in Uganda misses the mark ethically by treating students as *clients* or *customers* who must (as a means) be used to resource the institution to survive. Ethically, this scenario is inconsistent with the Kantian notion of categorical imperative which cherishes the innate worth and dignity of every human being. In his own words, Kant (1964:32-33) infers "*...so act to treat humanity whether in your person or that of any other, never solely as a means but always as an end...*"

Furthermore, the market model as applied in higher education in Uganda raises moral issues because it does not only discriminate against poor children but increasingly tends to make higher education the preserve of only a privileged few. Indeed, the market system depends on "*...unequal rewards and privileges, inherent in profit and competition...*" (Michelman, 1994:151). Ethically, this contravenes the principles of fairness, equality, autonomy and justice of human beings as persons. As Henry (1995) suggests if respect for persons is accepted as a worthy aim, it is essential that the priorities of each individual including the poor are taken seriously. Indisputably, this is not the case under the market model in higher education in Uganda which makes it ethically contestable. What is worrying in ethical terms is that the promotion of the idea that education is all about what individuals want for themselves as espoused under market theory threatens the possibility of social cohesion and also does not encourage individuals to think about wider society and their place in it. Yet Ruggiero (1973) warns ferociously that an action that does not honour obligations, advance ideals and benefit all the people can be considered as morally suspect. Congruent with the same thinking, Banks (1995) argues that the right action in anutilitarian contention is the one which produces the greatest balance of good over evil. For Kant (1964), the principles of liberty and justice for the individual must prevail. Thus, higher education in Uganda in the light of the fact that it tends to discriminate on the basis of what ones purse posses an ethical issue that needs to be resolved.

Additionally, under the market model in higher education in Uganda academic staff accountability (particularly in universities) is gradually being determined by the numbers of

students enrolled in their programmes (The New Vision 1999b), with commitment and dedication to the values of education replaced by the need to satisfy the *customer/client* and to attract new ones. Accordingly, if the market driven reforms are left unchecked, employment and career development will hinge on the balance as to weather the lecturer can attract students to his/her course or not. Arguably, under market rationalism, academics in Uganda will become dispensable, disposable and possibly recyclable (depending on demand) which ethically threatens notions of public morality and conceptions of public justice. Bottery (1992:93) succinctly puts this moral abnegation--under market theory "*...the possibility of a disinterested pursuit of knowledge, or personal, social and political development in a non-material sense, are concepts given little or no attention, because they do not fit economic preconceptions of what human beings are...*".

Second, with market rationalism, higher education in Uganda is gradually becoming an arena where business can be conducted and profits made. For instance, just in a decade (1988-1999), eight private universities have been opened in Uganda (The New Vision, 1999c). In the circumstances, it is possible to argue that higher education in Uganda (particularly university education) is up for grabs for those with the ability and capacity to put up the necessary infrastructure and hire requisite personnel. A situation such as this makes ethical issues immediately present themselves. To start with, the issue of values upon which these new private universities are established and developed. It is worthwhile to note that public universities like the two we have in Uganda (Makerere University and Mbarara University of Science and Technology) have certain tenets for instance, some students are still sponsored by the government (EPRC, 1989) which must be upheld and which may not be necessarily compatible with those of sectoral or religious universities. Additionally, most of new private universities in Uganda have been founded by religious organisations, examples include The Islamic University in Uganda which was founded by the Organisation of Islamic Conference (OIC) in close collaboration with the Uganda Muslim Council {UMSC}, Uganda Martyrs University (UMU) was founded by the Catholic Church in Uganda, Uganda Christian University (UCU) in Mukono by the Protestant Church and Bugema University by the Uganda Seventh Day Adventist Church), which have national and international affinities and invariably and inevitably financed by foreign agencies, individuals and governments.

Increasingly, therefore, not only will public institutions in Uganda find themselves entangled in a web of dealing with multi-thronged value bases, but also indirect accountability to external funding agencies will have to be taken into account. An ethical dilemma that becomes immediately evident is that with the sporadic increase in the number of private universities in Uganda (based on religious and some on tribal grounds); it will be difficult for the public to exercise much say in how university education is run. As one would expect, this scenario will give a free hand to private universities in Uganda not only to dictate the content but also the basis of access to higher education, which is irreconcilable with the Kantian doctrine of respecting the individual as a rational and self-determining human being. Yet, the Kantian ethic of care as contended by Banks (1995) is based on a system of individualised rights and duties emphasising abstract moral principles, impartiality and rationality which are noticeably absent in most of the profit-geared universities in Uganda. This raises more ethical questions. As Bottery (1992) argues, morality as one would normally think of it, ceases under free market philosophy of education to have a real role in the public sphere, and becomes linked solely to the part of the private sphere where people consciously adopt responsibilities towards others. Yet, educational institutions are caring organisations because of the assumed inherent values within their mission (Henry et al., 1992) which again calls the morality of educational market theory into question. It is the contention of the author therefore; that education must not be allowed to sink to sordid commercialisation, for it is ethically wrong to portray education as if it is dealing with dollars not

souls. Indeed, it is ethically incorrect to think in the limited monetarist view that the recovery of some monetary compensation from the beneficiaries of education can in any way, pay for faulty education delivery.

Third, another ethical issue inherent in market-place philosophy of education lies in its tendency to view education as a means to a market utilitarian end. Yet, education as Bottery (1992) insists is a process of human development and interpersonal relationships which perceives knowledge as a good in its own right. Arguably, this conception of education as a common good is not only incongruous with the commodity exchange notion of knowledge espoused under market-driven reforms, but also holds education as an inalienable human right, the access of which should not be limited or determined by the income of the individual, state, or whims of the market. Indeed, education is an interpersonal and social experience which is different each time it is encountered. For Bottery (1992) to liken education to a consumer experience is to misdescribe it radically and possibly, to ensure that a cheapened pre-packaged version is all that can be seen and offered.

Whilst it is argued that academic freedom is essential for the pursuit of truth in Ugandan universities (as elsewhere), it is this author's contention that ethically there can neither be academic nor political rights without social rights. For instance, Uganda with an income per capita of 220 US $ (World Bank, 1993), a sizeable number of the citizenry have no social rights such as the rights to adequate food, health and education which are virtually non-existent. Yet, Rawls's (1972) notion of justice is based on equality in the assignment of basic needs and resources as well as social and economic inequalities only in so far as there compensating benefits for every one especially the least advantaged. Congruent with the same thinking, Bottery (1992) argues that a caring commur.ity may be judged by most as a socially valuable organisation where the respect for persons is cherished. Thus, it is the contention of this author that if knowledge as an object is a common product--a collective property essential to society's existence, then any social or legal system that imposes restrictions to its access is ethically questionable and illegitimate. In a similar vein, it is argued that if academic freedom is viewed from the perspective which holds knowledge to be a common good, then any organisation like the World Bank/IMF, GATT that promotes or organises enclosure of knowledge stands ethically in direct violation of academic freedom conceived in this sense. Mounting evidence extols ideals of social democracy, freedom and the principal of autonomy in the provision of social services (Fox and De Marco, 1986; Banks, 1995; Fasching, 1988; Spicker, 1988). It seems therefore, that extant literature in ethics postulates that good is not private and the guiding principles in the provision of social services like education should aim at the removal of disadvantage and anti-oppressive approaches (which unfortunately are rife under the market philosophy of education). Accordingly, it is this author contention that academic freedom (viewed from an ethical perspective particularly in an impoverished state like Uganda) has to be seen not as a passive process where the elite are left alone to do what they want to do best in the sanctuary of ivory towers, but directed against oppression, domination and injustice. Indeed, the liberal conceptions of personal freedom, equality and autonomy are the basis of all other moral behaviour (Jagger, 1983; Komrad, 1983; Beauchamp and Childress, 1979). It would be reasonable to assume that the marketised form of academic freedom (particularly in the afflicted South like Uganda) may, at best, maintain an elitist status quo but cannot be expected to contribute to the process of liberating education from the human tragedy of inequality. In the circumstances, it is tenable for one to suggest that the marketisation model of academic freedom can only be just that—academic.

As the foregoing discussion postulates, the move to market rationalism in higher education in SSA and Uganda in particular, has an impact upon the whole philosophy of providing education and its contribution to social justice. Several ethical issues at stake have been highlighted and

discussed. The challenge, however, of resolving the human tragedy in Uganda's higher education remains unresolved. What ethical perspectives then, can resolve the ethical questions raised?

Towards a Resolution of Ethical Issues underpinning Marketisation of Higher Education in Uganda.

The ethical climate in Uganda's higher education poses real challenges for the community and the capacity of institutions to meet the needs of students particularly the economically and socially disadvantaged. Accordingly, it is my contention that the ethical issues inherent in the education system need to be resolved soon rather than later. Though we are all multiple personalities judging multiple moralities (Fasching, 1993), it is plausible to note that ethical deliberation is concerned with answering what ought to be done in a given situation (Benjamin and Curtis, 1986; Howe and Miramontes, 1992). In a sober search for resolutions, this article advocates a return to utilitarian ethics and Kantian doctrine of justice.

Indeed, utilitarian theories are called so because they contribute to the sum of human happiness and reduce the amount of pain and suffering in the world (Leiser, 1979). It is this author's claim that Kantian and utilitarian principles may help to revitalise our understanding of our moral values in a continually changing contemporary world. For instance, the strength of utilitarianism lies in the *principle of consequentialism* which posits that the wrongness or rightness of a given action should be judged in terms of its consequences. If one is to take the principle of consequentialism, then market driven reforms in higher education in Uganda are ethically suspect because of their consequences of social injustice which tend to discriminate against the poor who are unfortunately the majority. Furthermore, utilitarian ethics are preferred in resolving the human tragedy in Uganda's higher education because as Warnock (1985) suggests an act is right if it benefits the person more than it harms. Leiser (1979:204) succinctly puts the case---*act utilitarianism* connotes "*...that act which is most likely to produce the greatest happiness for the greatest number of people would be the right act...*". Unfortunately, Uganda's experience of marketisation in higher education appears to demonstrate that the greatest number of beneficiaries is not happy because of exorbitant fees levied. Accordingly, *act utilitarianism* would resolve this tragedy in the light of its stance for the greatest happiness to be enjoyed by the majority.

Additionally, utilitarianism holds that one principle will suffice for the whole ethics i.e. action or policies are right when they maximise the total good. Primarily, utilitarian principles claim to be fair in as far as each individual's good counts equally in the calculations to be performed (Howe and Miramontes, 1992). Accordingly, it is my contention that the ethical issues inherent in the market model of higher education in Uganda can be resolved with a return to utilitarian ethics where the individual good of each beneficiary is considered. As Banks (1995) cogently puts it, in these times of global and natural turbulence, the fundamental anchor for survival and renewal will be the core of values that are articulated and reinforced by communities and institutions. For Downie and Telfer (1980) the utilitarianism derives its strength from its emphasis on *justice*, *equality* and *respect* of persons. Indisputably, as the higher education experience in Uganda has shown, under the market regime these virtues are noticeably absent. Increasingly, therefore, a return to justice and equality in Uganda's higher education as espoused in utilitarian principles can help to avert the current human tragedy. It is my contention that unlike the market model of education which stresses individualism, competition, consumer choice and cost efficiency (Bottery, 1992), utilitarianism would resolve the human tragedy of inequality and unfair competition in Uganda's higher education because of its stance on the ethic of care and respect for the individual. As Rosen (1993) insists that if the state has a general duty to provide for the needs of its subjects, this duty ought to extend beyond their continued existence to ensure their

general well being. Accordingly, the strength of the utilitarian ethic lies in its emphasis in the sensible needs of human kind including education. Kant (1964) posits this situation as a rational social contract and a rational constitution to include on the part of the state to provide for the needs of its subjects education inclusive.

Viewed in this perspective, it would be reasonable to assume that with a return to the Kantian-utilitarianism framework, the Uganda state would bear the responsibility of providing higher education to those who qualify without treating them as *clients*. Moreover, utilitarianism treats educational institutions as caring organisations because of their assumed inherent values within their mission (Henry et al., 1992). Likewise, utilitarian theories postulate that what is moral depends upon the act and on the motives of the agent. Central to the utilitarian concept, Bank (1995) argues, is the stance of considering persons as capable of making choices with a capacity for autonomy and ability for being moral agents. Unfortunately, these virtues are noticeably non-existent under market rationalism because the preoccupation is to do with cost recovery from clients and not their moral development. Since autonomy is the idea of self determination, individual judgement and the basis of all other moral behaviour (Sikora, 1993), it is tenable for one to argue that the principle of utility (as espoused under utilitarianism) allows persons to develop their own potential unlike under the market regime of education where choice may be restricted by financial ability. Accordingly, it is my claim that a return to utilitarian concept in Uganda's higher education would maximise happiness of beneficiaries particularly in the area of self determination. For Gillon (1986) it is this ability to make choices without restrictions as well as maximising the common good for the majority under the principle of beneficence to help those in need that makes *consequentialism* tick. Thus the Kantian-utilitarian framework is preferred in resolving the human tragedy in Uganda's higher education caused by the *commodification* of education under market rationalism.

Indeed, the central focus of morality in the Kantian-utilitarian framework centres on feelings and concern for other people (McInerney, 1992; Banks, 1995). It is my contention therefore, that it would help to solve the human tragedy in the form of creeping individualism prevalent in the market model of higher education in Uganda. With its compassion and desire not to hurt others and bring happiness to the majority without restrictions, this author contends that the Kantian-utilitarian framework can resolve the current ethical crisis in higher education in Uganda. As Bottery (1992) argues shared values in any organisation must support moral principles which would certainly eliminate competition, individualism and a client-oriented attitude which are rife under the market philosophy of education. Understandably, this has implications for professional practice to which we now turn.

Implications for professional practice

It is worthwhile to note that the ethical crises facing higher education in Uganda are deeply rooted in the culture of modern western societies. This culture, Eckersley (1992) suggests, gives priority to the individual over the community, to rights over responsibilities, to the ephemeral over the enduring and to the material over the spiritual. For Bottery (1992) individualism in Western societies has led to the production of relationships characterised by practical concerns, impersonality, a lack of caring, and a lack of responsibility to each other. It is regrettable that this brand of individualism is spreading to diverse parts of the world, particularly SSA, under the much heralded globalisation and World Bank /IMF policies.

Accordingly, at national level a modus *operandi* ought to be instituted in SSA and Uganda in particular to re-create the essence of community feelings, and social cohesion as enshrined in African traditional values united by common beliefs, with reciprocal understanding and

obligation. Thus, this human tragedy in education apparently caused by the man eat man attitude of metropolitan capitalist states must be stopped. It is therefore important to be aware that egalitarian policies in education as Bottery (1992) puts it can enhance economic efficiency by allowing greater choice to the citizenry. Increasingly, therefore, in Uganda, policy makers at national level ought to develop value systems based on care, intimacy, justice, equality and trust to deter individualism endemic in affluent capitalist states to gradually creep in the education systems of impoverished countries. Moreover, with globalisation the polarisation between the affluent and afflicted states is fast widening. For instance, over the past 30 years, the world's poorest 20% of people have seen their share of global income fall from 2.3 % to 1.4%, while the richest 20% rose from 70% to 85% of world income (Colebatch, 1996: 23).

As discussed in preceding paragraphs, since the late 1980's, the international moves towards devolution of responsibility and more explicit accountability demands have required educational institutions particularly higher education to enact operational procedures that make them indistinguishable from many kinds of organisations. For Caldwell (1996) this is an ideology that embraces a faith in the market mechanism as a means of securing improved outcomes. Yet educational institutions as centres of well being (Greenfield, 1995) and as builders and guardians of values ought to have moral and ethical purposes. This has important ramifications for the way in which teaching, learning and assessment are structured particularly for those at risk academically and socially. The implications for management of higher education in Uganda become apparent.

If it is to combine the ethical with the effective. Management of higher education in Uganda must learn from the insights of the free market, but must immediately move beyond this ideology, and instead cultivate procedures and relationships which as Bottery (1992) imputes retain the local and the personal, but bed these instead in a collaborative exercise. Thus managers should profitably transfer the kind of things which can benefit their institutions e.g. financial accountability and ignore those which threaten the ethical fabric of their institutions as the Uganda experiences has demonstrated.

Concluding Remarks and Recommendations

The article has demonstrated that in order to promote social justice, institutions of higher education in Uganda need to be understood more than commodity production sites whereby outcomes are readily quantifiable and measurable. Thus in order to contribute to social justice, access to education has to remove all the disadvantages (Spicker, 1988), and adequately answer questions of who is accountable to whom and for what. At the national level, policy makers ought to spell out more clearly the values for education. It is argued, that market-oriented reforms in higher education in Uganda serve the business and industrial interest at the expense of educational goals and purposes. This scenario tends to impair the possibility of higher education institutions to collaborate in exchange of ideas and cross-fertilisation of knowledge. As one would expect, institutions are poised to be competitive, secretive and even undermine each other to keep abreast with the competition for students in the market driven formula. This echoes the need for policies that accommodate and not alienate those who qualify for higher education in Uganda. As Bottery (1992) argues ethically, educational policies need to promote collaboration and collective responsibility within the education work force and among educational institutions and communities. Further, institutions of higher learning, as Althusser (1971) suggests, are "sites of struggle" where conflicting ideologies compete for dominance. This has implications for the need to revisit the conception of value, quality and purpose underpinning higher education in Uganda.

To avert the current human tragedy in higher education in Uganda, (the tendency to make university education the preserve of only the privileged few), the article recommends a return utilitarian ethics and the Kantian notion of justice which are based on a system of individualised rights and duties emphasising abstract moral principles, impartiality and rationality which are noticeably absent in the Ugandan market driven philosophy of education. Increasingly, therefore, the community's pursuit of wealth and power as Bottery (1992) contends should be accompanied by a moral refinement and an intellectual cultivation to enable them enjoy the former and put into proper of use the latter.

Accordingly, removal of disadvantages in Uganda's higher education signals the need for a progressive egalitarian ideology to guide policy in Uganda. Ethically, the promotion of the idea that education is all about cost recovery and what individuals want for themselves which seems to be a fundamental tenet under the market philosophy of education, threatens the possibility of social cohesion which is highly cherished in African values. This article argues that market-oriented educational policies that contribute to social disparity, despair and desperation to impoverished members of the society are ethically wrong. Thus, it is this author's claim that the revolt against social injustice, marketisation and privatisation of higher education in Uganda is tenable, and its ethicality lies in the prevalent human tragedy in the form of repression and violation of social and human rights inherent in the current system.

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