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OFFICE OF THE PRESIDENT OF PARLIAMENT

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**SOAD LAW PL0013**

## **Higher Education, Pan-Africanism and Excellence**

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**Melvin Brown**

**President**

Although colonizers long claimed that Africans needed to be “civilized” and “educated,” it is important to recall that, according to UNESCO, the oldest university in the world still in operation was founded in Africa : the al-Qarawiyyin University in Fez, established in 859 by a woman, Fatima al-Fihriya. The first European university, in contrast, was founded in Bologna in 1088, more than two centuries later.

In fact, African societies had long established educational systems of remarkable depth and diversity. Education took place within families, professional guilds, Qur’anic and monastic schools, royal and imperial academies, scholarly circles at courts, and renowned universities. Transmission, which could be oral or written, constituted a genuine architecture of knowledge—structured, codified, and tested over centuries. Teachers, griots, storytellers, hunting masters, artisans, priests, astronomers, and healers transmitted technical, historical, philosophical, and spiritual knowledge through pedagogical methods demanding memorization, comparison, debate, and practical training.

The continent’s major intellectual centers testify to this golden age: Timbuktu, Djenné, Gao, Agadez, Kano, Fez, Marrakech, and Kairouan were hubs for the study of theology, law, medicine, mathematics, geography, poetry, astronomy, and natural sciences. Universities such as Sankoré hosted thousands of students from across Africa and beyond. Entire libraries—some containing over 20,000 manuscripts—preserved African treatises that circulated throughout the Mediterranean and

the Orient. Today we know that some of this knowledge drew upon the scholarly traditions of the Near East, India, Greece, Rome, the Byzantine Empire and, later, Renaissance Europe. From Egyptian arithmetic to Meroitic scripts, from Nubian architecture to Dogon astronomy, from Sahelian agronomy to Central African metallurgical technologies, African knowledge profoundly shaped the intellect of the world.

Yet this intellectual and social balance was brutally disrupted from the late 15th century, when European powers, equipped with new navigation and warfare techniques—mostly of Asian origin—established the transatlantic slave trade and colonial empires. The deportation of millions of Africans to the Americas and the Indian Ocean caused an unprecedented destruction of existing educational systems. Families were torn apart, communities dismantled, and individuals sold far from one another, unable to transmit language, customs, arts, or sciences. Slaves were forbidden to learn how to read; their languages were proscribed; memory was erased; and colonial authorities imposed through catechism and religious instruction a distorted version of Christianity designed not to evangelize, but to enforce submission.

Yet, at the heart of this darkness, African education did not vanish. It transformed, hid, and reinvented itself. On plantations, storytelling nights preserved Africa through the narratives of elders. Observing nature, slaves created new knowledge, as exemplified by Edmond Albius, an enslaved child on Réunion who discovered the method of vanilla pollination, revolutionizing an entire industry—though his discovery was immediately confiscated and attributed to his master, like so many other African innovations. Others, through clandestine reading or critical intelligence, used European education to emancipate themselves. This was the case of Anton Wilhelm Amo, a Ghanaian philosopher captured as a child, who became one of the most brilliant minds of the 18th century in Enlightenment Germany—in January 2023, Anton Wilhelm Amo Square was inaugurated in Stuttgart, followed in 2025 by a street named after him in Berlin. We may also mention the Chevalier de Saint-Georges, a master fencer and violin virtuoso, who became one of Queen Marie-Antoinette's favorites; she proposed him to head the Royal Academy of Music of France, but his skin color caused scandal, and he was never appointed.

Beyond individual achievements, education became a tool of collective emancipation. Nat Turner, taught by his mother in the pride of his African heritage, also learned to read, write, and count; he preached the Bible in secret, forming a clandestine network that enabled him, in 1831, to lead one of the most significant revolts against the slave system. In maroon societies of Brazil, the Caribbean, and Spanish America, quilombos and palenques organized their own schools: teaching combat, adapted agricultural techniques, political philosophy, traditional medicine, and survival strategies. These schools were often led by women, such as Queen Nanny of Jamaica, whose leadership and vision ensured the survival of maroon communities.

With the abolition of slavery, Afro-descendants developed autonomous educational institutions. In the United States, the creation of Black Colleges gave rise to a network of excellent universities, with Howard University remaining a major symbol—it is there, for example, that Kamala Harris and Jessye Norman were educated. These institutions trained lawyers, doctors, artists, diplomats, and scientists, some of whom became highly influential figures in our time. They provided a counterbalance to white schools, where Africans and Afro-descendants were either absent from textbooks or depicted with contempt, according to the hierarchical theories of colonial anthropology or social Darwinism.

To escape this racist education, yesterday and still today, some African-American families prioritized homeschooling. Others fought for the right to integrate white schools: Ruby Bridges, in 1960, became the first African-American child to attend a white school. President Eisenhower had to send a police escort to protect her from racist protesters opposed to desegregation—the filmmaker Euzhan Palcy, Minister of Culture of the State of the African Diaspora, made a remarkable film about this story.

In Europe and in North America, Africans and people of African Descent made their way not only in primary and secondary schools but also in prestigious higher education institutions, such as Aimé Césaire at the École Normale Supérieure and Léopold Sédar Senghor at the Sorbonne : they learned European intellectual codes and turned them against the system to create Négritude, reaffirming the dignity, creativity, and universality of Black humanity. Later, in other fields, Black women also excelled in scientific and research institutions such as NASA, including Katherine Johnson, Dorothy Vaughan, and Mary Jackson, without whom the American space program would have been impossible.

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On the African continent, colonial domination left behind deeply distorted educational systems. For decades, African textbooks taught European history more than African history, reproducing a Eurocentric worldview that cast Africa as a passive periphery of universal history. While Europe boasted of having established schools in Africa, in reality, it mainly sought to produce servants for the colonial system. Frantz Fanon denounced this school “alienation,” where African children were trained, as subjugated individuals, to adopt the perspective of their oppressors and to despise themselves. Furthermore, these colonial schools were few in number. In Algeria, for example, there were many more schools before French colonization than during it. By 1954, after 124 years of colonization, only 15% of Algerian children were enrolled in school.

Since independence, the continent has been transforming. In the Maghreb, education has been strengthened, freed from colonial control, and increasingly conducted in Arabic—though Berber populations and languages remain marginalized. In Rwanda, now English-speaking, the educational system was redefined to rebuild the country after the genocide and to create a new generation beyond ethnic or racial divisions. In South Africa, high school students played a crucial role in the struggle against apartheid, as shown in the musical film *Sarafina!* with Whoopi Goldberg, paying a heavy price as a result. In 1976, the government imposed Afrikaans, the language of white colonists, as the mandatory language of instruction : thousands of students peacefully protested; police intervened, killing 500–700, wounding thousands, and leaving many missing.

Today, in many African countries, vernacular languages are finally taught in schools, facilitating learning and rehabilitating oppressed identities. This is part of the fight against ethnocide, which kills peoples by destroying cultures. Furthermore, with UNESCO’s *General History of Africa* (8 volumes), a scientific foundation exists to rethink school and university curricula rigorously, decolonially, and ambitiously.

Yet, many African students still go abroad to Europe, America, or Asia for higher education. While travel can enrich youth, it must be a free choice, not a necessity imposed by circumstance or lack of opportunities at home, exposing students to migration hazards and discrimination abroad. The diaspora and the continent need strong Pan-African institutions capable of offering world-class education, where young people from Africa and the diaspora study side by side, where African

knowledge is valued alongside knowledge from elsewhere, and where a new generation of scientists, engineers, artists, philosophers, doctors, farmers, and policymakers can emerge.

It is in this perspective that the State of the African Diaspora presents this law. This foundational law aims to rebuild our educational system, free from colonial legacies, rehabilitate African intellectual traditions, integrate contemporary scientific advances, and guarantee every child in Africa and the diaspora a complete, decolonized, modern, Pan-African, and universal education.

This law affirms that education is not merely a public service: it is the matrix in which collective consciousness, human dignity, intellectual independence, and the capacity to act are forged. By rebuilding our educational system, we build our future. By educating our children, we restore the continuity of a civilization. By affirming the right to knowledge, we affirm the sovereignty of a global African people—a dispersed yet united people, wounded but standing, battered but creative, heir to a vast past and agent of an even greater future.

The State of the African Diaspora is committed to advancing Truth, Innovation, Equality, and Pan-Africanism as the four strategic pillars guiding our educational and human capital policies. It is in this spirit that the University of the State of the African Diaspora (USOAD) was founded in 2021, as a pioneering Pan-African institution built upon these four foundational principles. From its inception, the University was conceived not merely as an academic institution, but as a space of intellectual sovereignty, historical reparation, and future-oriented knowledge production for Africa and its global diaspora.

The University was established under the moral and intellectual patronage of eminent Pan-African figures, including Maryse Condé (1937–2024), internationally acclaimed writer and recipient of the the Alternative Nobel Prize in 2018, Euzhan Palcy, pioneering filmmaker and recipient of the Academy Honorary Award (Oscar) in 2022 for her lifetime contribution to cinema, Dr. Cheikh Modibo Diarra, former NASA project director, former CEO of Microsoft Africa, and former Prime Minister of Mali, and Chief Fortune Charumbira, President of the Pan-African Parliament of the African Union.

This law responds to the urgent need for a unified, globally competitive, fully accredited Pan-African system of higher education, capable of addressing historical inequities, meeting contemporary international standards, and building future-ready systems of learning across the African world.

The Parliament affirms that higher education is a central engine of sustainable economic development, innovation, scientific autonomy, and social transformation. Universities are not ancillary institutions; they are strategic infrastructures essential to long-term prosperity, technological sovereignty, and sustainable development.

The Ministry of Education and the University of the State of the African Diaspora are charged with building a coherent, world-class academic and accreditation ecosystem capable of empowering all citizens across the Continent and Diaspora. This law establishes the legal foundation for accreditation systems, faculty standards, academic program design, student support structures, research expectations, and integrated employment pipelines.

Finally, this law recognizes that there can be no true decolonization without education. Without education, minds remain colonized even when flags change. Higher education is therefore understood as a fundamental tool for the decolonization of knowledge, imaginaries, and

consciousness, enabling African and diasporic peoples to reclaim authorship over their histories, narratives, and futures.

## **TITLE I — GENERAL PRINCIPLES AND DEFINITIONS**

### **Article 1. Foundational Principles**

The following Four Strategic Pillars shall govern all provisions of this Act:

- 1. Pan-Africanism** — commitment to unity, empowerment, and collective elevation of a decolonized Africa and Diaspora.
- 2. Equality** — equitable access to all educational opportunities.
- 3. Truth** — preservation and advancement of historical, cultural, and scholarly authenticity.
- 4. Innovation** — future-focused, technology-driven, globally competitive learning systems.

These principles shall guide interpretation and implementation across all Titles and Articles of this Act.

### **Article 2. Definitions**

For the purposes of this Act:

- 1. SOAD Accreditation Authority** — the official body empowered to grant, monitor, suspend, or revoke accreditation.
- 2. USOAD** — the University of the State of the African Diaspora.
- 3. Smart City Campus** — designated zones for higher education in the smart cities built by SOAD.
- 4. Pan-African Library** — the physical and digital scholarly repository for African and Diaspora knowledge.
- 5. Faculty** — full-time, adjunct, visiting, or academics engaged in instruction, research or mentorship.

## **TITLE II — ACCREDITATION AND ACADEMIC FRAMEWORK**

### **Article 3. SOAD Academic Accreditation**

#### **3.1 — Accreditation Authority**

SOAD establishes a unified Accreditation Authority responsible for:

- (a) Accrediting academic programs at all levels.
- (b) Ensuring regional and global recognition through strategic partnerships.
- (c) Overseeing disciplines including, but not limited to, agribusiness, education, medicine, engineering, aeronautics, business, humanities, law, environmental sciences, governance, and Pan-African Studies.

#### **3.2 — Standards**

Accreditation decisions shall be based on:

- (1) Academic quality.
- (2) Faculty qualifications.
- (3) Research integrity.
- (4) Alignment with the Four Strategic Pillars.

#### **3.3 — Recognition**

Accredited programs shall be recognized by SOAD institutions, Smart City employers, and international partners where applicable.

### **Article 4. Academic Programs and Pan-African Core Curriculum**

#### **4.1 — Required Courses**

All degrees and certificates shall require completion of core coursework in:

- 1. Pan-African Studies
- 2. 21<sup>st</sup> Century Pan-African Leadership

## **4.2 — Academic Expansion**

USOAD shall expand academic offerings in response to emerging technologies, global labor trends, and Smart City workforce projections.

## **TITLE III — STUDENTS, RIGHTS, OBLIGATIONS AND TUITIONS**

### **Article 5. Tuition, Fees**

#### **5.1 — Tuition and Fees**

Tuition and fees shall reflect SOAD’s mission of accessibility and equity and shall be published in a transparent annual schedule.

#### **5.2 — Scholarships**

Scholarships may be offered to students based on merits and projects.

#### **5.3 Rights**

Students enrolled in SOAD educational institutions are entitled to the following fundamental rights, consistent with the Four Strategic Pillars:

1. The right to equitable, accessible, innovative, and culturally grounded education.
2. The right to a safe learning environment free from discrimination, harassment, or intimidation.
3. The right to academic freedom, freedom of thought, and freedom of expression within institutional norms.
4. The right to the protection of personal data, in accordance with international standards.

#### **5.4 Obligations**

Students shall:

1. Comply with all academic and administrative policies of their institution.
2. Uphold academic integrity in coursework, examinations, research, and professional practice.
3. Respect faculty, staff, peers, and all SOAD facilities.
4. Contribute, to the extent of their abilities, to a collaborative and supportive Pan-African learning environment.

#### **5.5 Student Representation**

1. Each SOAD campus shall establish a SOAD Student Council (SC), elected democratically.

2. The SC shall participate in consultative processes concerning:
  - (a) academic quality;
  - (b) student life and welfare;
  - (c) cultural and community programs;
  - (d) mental health and well-being policies.

## **5.6 Appeals and Remedies**

1. Students are entitled to an appeal process concerning:
  - (a) grades,
  - (b) disciplinary actions,
  - (c) administrative decisions affecting their status.
2. Each campus shall appoint a **Student Ombudsman** responsible for mediation and dispute resolution

## **TITLE IV — DISTANCE EDUCATION AND DIGITAL LEARNING**

### **6.1 — Recognition and General Framework**

1. Distance education is recognized as an official mode of instruction within SOAD and carries the same academic status as on-campus education.
2. Distance-learning programs must be accredited according to SOAD standards and aligned with the Four Strategic Pillars.

### **6.2 — SOAD Digital Learning Infrastructure**

1. The Ministry of Education shall establish a SOAD Digital Learning Infrastructure (SDL-I), comprising:
  - (a) a virtual teaching and learning platform;
  - (b) a digital library integrated into the Pan-African Library;
  - (c) collaboration tools, videoconferencing systems, and learning-analytics mechanisms.
2. Technologies used shall ensure:
  - (a) accessibility for students with low-bandwidth connectivity;
  - (b) protection of personal and academic data;
  - (c) mobile compatibility for underserved regions.

### **6.3 — Pedagogical Standards for Distance Learning**

Distance-learning courses shall:

1. meet SOAD academic quality standards;
2. include:
  - (a) interactive modules,
  - (b) audiovisual resources,
  - (c) personalized mentoring or instructor guidance;
3. provide appropriate assessment methods (proctored online exams, project-based evaluation, continuous assessment);
4. ensure accessibility for students with disabilities through technological adaptations.

## **6.4 — Recognition of Online and Hybrid Credentials**

1. Degrees, certificates, and micro-credentials earned through distance learning shall have the same value as those obtained on site.
2. Hybrid programs (online + in-person) are encouraged, particularly to serve global African diaspora populations.

## **6.5 — Digital Inclusion and Global Access**

1. When possible, the Ministry shall establish a Pan-African Digital Access Fund to support:
  - (a) the purchase of computers by low-income students;
  - (b) subsidized internet access;
  - (c) the creation of community digital centers.
2. Priority shall be given to remote, rural, underserved, and diaspora communities.

# **TITLE V — EMPLOYMENT PIPELINES AND GOVERNANCE**

## **Article 7. Preferential Employment for Graduates**

### **7.1 — Preferential Status**

Graduates of accredited USOAD programs shall receive priority consideration for roles within:

1. Smart City initiatives
2. SOAD Government Ministries
3. International cooperation and development programs
4. Technical, medical, educational, and governance sectors

### **7.2 — Vacancy-Based Placement (USOAD Employment Agency)**

Where vacancies align with graduate qualifications, graduates from SOAD educational institutions shall receive direct or accelerated employment consideration.

# **TITLE VI — FACULTY AND STAFF RECRUITMENT**

## **Article 8. Hiring Standards, Qualifications, and Tenure**

1. All incoming faculty/ mentors, and staff shall complete a six-month probationary period and comply with SOAD and USOAD operational policies.
2. **Faculty/Mentors Qualifications:**
  - Undergraduate teaching: globally recognized fully accredited, earned Master's degree or higher in the discipline.
  - Graduate teaching: globally recognized fully accredited, earned doctorate in the discipline.
3. Tenure-track lines may be offered where appropriate, with evaluation based on teaching, research, and service.
4. Recruitment shall emphasize global Pan-African representation and alignment with the Four Strategic Pillars.

## **TITLE VII — PAN-AFRICAN LIBRARY**

### **Article 9. Pan-African Library and Scholarly Depository**

1. The Ministry of Education shall create and maintain a Pan-African Library as the global repository of African and Diaspora knowledge.
2. Full-time, tenure-track faculty shall publish at least one peer-reviewed article per year to be archived within the Library.
3. The Library shall collect books, journals, artifacts, and scholarly works from across Africa and the Diaspora.
4. Digital and physical branches shall ensure access across USOAD campuses and partner institutions.
5. A Digital Access Unit shall ensure equitable global access for students, faculty, researchers, and SOAD partners.

## **TITLE VIII — DUAL AUTHORITIES**

### **Article 10 Governance of Dual-Ministry Faculties**

#### **10.1 — Shared Oversight**

Faculties whose missions span two sectors — including, but not limited to, the Faculty of Medicine (Education + Medicine), Faculty of Agriculture (Education + Agriculture), and Faculty of Historical Legacy (Education + Heritage) — shall operate under a shared governance structure jointly managed by both competent ministries.

#### **10.2 — Joint Administrative Board**

A Joint Administrative Board shall be established for each dual-ministry faculty. It shall:

1. Coordinate strategic planning, budget approval, and curriculum alignment;
2. Ensure compliance with standards issued by both ministries;
3. Resolve jurisdictional conflicts in accordance with SOAD legislation.

#### **10.3 — Lead Ministry Designation**

For administrative efficiency, one ministry shall be designated by the Prime Minister Lead Ministry. It shall:

1. Oversee daily operations and personnel management;
2. Serve as primary liaison to USOAD leadership;
3. Report annually on faculty performance to the secondary ministry.

#### **10.4 — Academic Integrity and Professional Standards**

Programs shall adhere simultaneously to:

1. SOAD academic standards;
2. Sector-specific professional standards from the relevant ministry (e.g., health, agriculture, heritage).

In case of conflict, the Joint Administrative Board shall determine the applicable standard.

#### **Section 10.5 — Funding and Accreditation**

Funding responsibilities and accreditation procedures shall be jointly defined by both ministries and harmonized into a single operational framework to avoid duplication.

## **TITLE IX — PARTNERSHIPS WITH OTHER UNIVERSITIES OR RESEARCH CENTERS**

### **Article 11. Academic and Research Partnerships**

1. The Ministry of Education shall establish formal partnerships with universities, research centers, and international academic consortia to:
  - (a) Promote joint research initiatives and publications.

- (b) Facilitate faculty and student exchanges across Africa and the Diaspora.
  - (c) Develop shared laboratories, innovation hubs, and Smart City research facilities.
  - (d) Align academic programs with global best practices while preserving Pan-African principles.
2. Partnership agreements shall define:
    - (a) Roles and responsibilities of each institution.
    - (b) Intellectual property sharing and joint funding arrangements.
    - (c) Monitoring and evaluation procedures for research output and educational impact.
  3. Priority shall be given to collaborations that:
    - Strengthen Pan-African scholarly networks.
    - Enhance STEM, governance, and cultural heritage research.
    - Provide actionable solutions to development challenges across the continent.
  4. All partnerships shall comply with SOAD’s Four Strategic Pillars, ensuring equitable, innovative, and socially responsible knowledge production.

## **TITLE X — PARTNERSHIPS WITH NGOs AND PRIVATE ENTITIES**

### **Article 12. NGO and Private Sector Engagement**

1. The Ministry shall actively collaborate with NGOs, philanthropic institutions, civil-society organizations, and private partners.
2. A Partnership Office shall:
  - (a) Identify and evaluate potential partners;
  - (b) Develop joint programs, scholarships, and internships;
  - (c) Ensure transparency, accountability, and alignment with SOAD’s strategic pillars.
3. Partnerships may involve pre-college outreach, adult education, community development, global internships, and research networks.

## **TITLE XI — OVERSIGHT, IMPLEMENTATION, AND REVIEW**

### **Article 13. Oversight Mechanisms**

1. The Ministry shall report annually to the Prime Minister and Parliament on accreditation, financials, student metrics, and strategic outcomes.
2. An External Advisory Council of scholars, industry leaders, and civil-society experts shall guide growth and innovation.
3. Every five years, USOAD shall undergo a strategic review assessing:
  - (a) Academic relevance;
  - (b) Accreditation status;
  - (c) Financial sustainability;
  - (d) Graduate outcomes;
  - (e) Progress on equity and access.
4. Review findings shall be submitted to Parliament for action.

## **TITLE XII — TRANSITIONAL AND GENERAL PROVISIONS**

### **Article 14. Transitional Arrangements**

1. Within one year of enactment, the Ministry shall issue regulations governing academic policy, governance, tenure, mentorship programs, and Library procedures.
2. Current leadership of USOAD shall be formally ratified under this Act, with terms recalibrated accordingly.
3. Existing students and faculty shall be grandfathered into this framework.

### **Article 15. Budgeting and Allocations**

1. The Ministry's budget shall include line items for campus, USOAD accreditation, hiring, library infrastructure, mentorship, operations, and student support.
2. Government shall allocate funds required for implementation.
3. External funding may be used provided it does not compromise SOAD's strategic pillars.

**Article 16. Entry into Force**

This Act shall enter into force upon promulgation by the Prime Minister and publication on SOAD's official website.