Report of the Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions

30 November 2008 • FINAL REPORT

education

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Committee Members

Prof Crain Soudien (Chairperson)
Dr Wynoma Michaels
Dr Sankie Mthembi-Mahanyele
Prof Mokubung Nkomo
Ms Gugu Nyanda
Mr Nkateko Nyoka
Prof Sipho Seepe
Dr Olive Shisana
Dr Charles Villa-Vicencio

Supported by
Mr Ahmed Essop and Dr Molapo Qhobela, Ms Babalwa Ntabeni and Dr Chika Sehoole

ABBREVIATIONS AND ACRONYMS

BAAF	•	Black African Academic Forum
BTF	•	Broad Transformation Forum
CHE	•	Council on Higher Education
CPS	•	Centre for Prospective Students
CPUT	•	Cape Peninsula University of Technology
CUT	•	Central University of Technology
DFSA	•	Deaf Federation of South Africa
DoE	•	Department of Education
DUT	•	Durban University of Technology
FET	•	Further Education and Training
FFPY	•	Freedom Front Plus Youth
GooT	•	Grow your own Timber Programme
HEI	•	Higher Education Institution
HEMIS	•	Higher Education Management Information System
HEQC	•	Higher Education Quality Committee
HESA	•	Higher Education South Africa
IF	•	Institutional Forum
MUT	•	Mangosuthu University of Technology
NEHAWU	•	National Education Health and Allied Workers' Union
NMMU	•	Nelson Mandela Metropolitan University
NWU	•	North West University
NPHE	•	National Plan for Higher Education
NRF	•	National Research Foundation
NSFAS	•	National Student Financial Aid Scheme
PASMA	•	Pan-Africanist Student Movement of Azania
RU	•	Rhodes University
SASCO	•	South African Students' Congress
SRC	•	Students' Representative Council
TUT	•	Tshwane University of Technology
UCT	•	University of Cape Town
UKZN	•	University of KwaZulu-Natal
US	•	University of Stellenbosch
UFH	•	University of Fort Hare
UFS	•	University of the Free State
UJ	•	University of Johannesburg
UL	•	University of Limpopo
UNISA	•	University of South Africa
UP	•	University of Pretoria
UV	•	University of Venda
UVPERSA	•	Universiteit van die Vrystaat Personeelunie
UWC	•	University of the Western Cape
UZ	•	University of Zululand
VUT	•	Vaal University of Technology
WITS	•	University of the Witwatersrand
WASA	•	Women's Academic Support Association
WSU	•	Walter Sisulu University for Science and Technology

Acknowledgements

The Ministerial Committee on Transformation in Higher Education is profoundly aware of the importance of the task bestowed on it by the Minister of Education. South Africa is, once again, facing a critical moment. While the foundation has been laid for democracy, the challenge of reproducing and sustaining this democratic development remains great. Central to this challenge is the need to determine precisely how the instruments of our democracy, and our public institutions are of especial importance, could be used to promote the modalities and, indeed, the habits of a human rights culture on the one hand, and the advancement of the socio-economic rights of all South Africa's people on the other.

In confronting this challenge in the higher education sector in particular, difficulties and opportunities arise, which must be recognised and understood. This sector has inherited the full complexity of the country's apartheid and colonial legacy. Racism, sexism and class discrimination continue to manifest themselves in the core activities of teaching, learning and research. However, in relation to these, as they arise in higher education and in wider society, the opportunities awaiting this sector are great.

South Africa is one of the world's major social laboratories. In its archaeological history and in its mineral resources, some of the most important sources for facilitating scientific work are to be found. The sector is rich, almost unrivalled, in the kind of material it offers that may be used to understand the human condition and the environment in which people live. And it is these riches that the sector must take full advantage of. However, it can only do so if it sheds its colonial and apartheid baggage. It must become an accessible space to, and operate for the benefit of all South Africans.

Against this background it is important to state that this exercise, of attempting to understand the sector's difficulties pertaining to transformation, has been exceedingly gratifying but, at the same time, cause for concern. It is clear that the process of coming face to face with all the problematic issues that the country has inherited remains a Herculean one. It is equally clear, however, that higher education institutions have a vital role to play in leading the way to the realisation of the promise of full human rights for all, which the Constitution so clearly spells out.

We believe that this journey has now commenced and for that we wish to express our gratitude to the following people:

- those who took the time and effort to complete the questionnaire and prepare the institutional reports;
- those who took the time and braved the dangers of exposure to share their experiences of life in the higher education environment;
- those who, for a variety of reasons, could not attend the hearings but took the time to document their own stories;
- those in the Department of Education's Higher Education Branch who availed themselves to requests for additional information and other much needed services;
- those in the Secretariat in the Ministry who made our lives so much easier by the selflessness they demonstrated under trying conditions;
- the research team who enhanced the research, assisted in the compilation and ensured that

the report is clear and coherent; and

- the many other anonymous players who strung the strings that have, we hope, made this symphony so inspiring.

We trust that this report gives a fair representation of the various realities of our higher education system. Any omissions or inadvertent inaccuracies are regretted. It is the Committee's sincerest wish that the hurdles that lie ahead may be overcome for the sake of the general well-being of all South Africans.

Executive Summary

In March 2008, the Minister of Education, Naledi Pandor, announced the establishment of a Ministerial *Committee on Progress Towards Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions* to "investigate discrimination in public higher education institutions, with a particular focus on racism and to make appropriate recommendations to combat discrimination and to promote social cohesion". The Committee's Terms of Reference state that it "must report on the following:

- The nature and extent of racism and racial discrimination in public higher education, and in particular university residences. While the emphasis should be on racial discrimination, other forms of discrimination based, on, for example, gender, ethnicity and disability should also be considered.

- The steps that have been taken by institutions to combat discrimination, including an assessment of good practice as well as shortcomings of the existing interventions.

And

- Advise the Minister of Education and the key constituencies in higher education on the policies, strategies and interventions needed to combat discrimination and to promote inclusive institutional cultures for staff and students, which are based on the values and principles enshrined in the Constitution.

- Identify implications for other sectors of the education system."

The Brief

The Committee located its investigation within the context of the transformation agenda of *Education White Paper 3: A Programme for the Transformation of Higher Education*. White Paper 3 explains that transformation "requires that all existing practices, institutions and values are viewed anew and rethought in terms of their fitness for the new era". At the centre of the transformation agenda, in terms of 'fitness', is the White Paper's vision for the establishment of a single national coordinated higher education system that is "democratic, non-racial and non-sexist."

This is also in line with the South African Constitution, which defines discrimination to include "race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth."

While racism, like other forms of discrimination, is based on prejudice and fear, what distinguishes it is the ideology of white supremacy, which serves as a rationale for the unequal relations of power that exist between people in South Africa. This is a critical, analytical distinction, as racism is often intertwined with other forms of discrimination, such as social class, gender, ethnicity, religion, language and xenophobia, and uses the latter set of prejudices to justify and reproduce itself.

Furthermore, the Committee agreed that gender discrimination or sexism should also receive special attention. Like racism, it is an ideological phenomenon, based on unequal relations of power between men and women and underpinned by the ideology of patriarchy. Indeed, the importance of both is underscored by the fact that non-racialism and non-sexism constitute foundation values in the Constitution and are central to the transformation agenda in higher education.

The Process

The Committee's investigation was based on a combination of documentary analyses and interaction with higher education stakeholders and constituent groupings. It included the following:

- An overview of current trends in the higher education system, based on quantitative data contained in the Higher Education Management Information System (HEMIS).
- A survey of the relevant literature pertinent to the key themes of the investigation.
- Analyses of institutional submissions, as well as of policy and strategic documents, including the Higher Education Quality Committee (HEQC) Institutional Audit Reports.
- An analysis of a questionnaire on the development and implementation of policies relating to transformation, discrimination and social cohesion within higher education institutions.
- Analyses of submissions received from both national organisations and individuals, resulting from a public call for submissions via the media.
- Visits to all institutions to solicit the views of institutional stakeholders and constituencies, including councils, executive managements, student leaders, staff representatives from both academic and support staff, as well as staff associations and trade unions.
- Consultation with national student and trade union organisations.

An Overview of Institutional Submissions

The institutional submissions varied in terms of the issues and concerns raised, as well as the quality of the input. The differences and variations are best illustrated by the way in which institutions provided evidence to support their claims, which included the following:

- Broad claims regarding transformation supported by mission and other public statements.
- Descriptions of policies and intended interventions without any accompanying discussions of implementation procedures, time frames, measurements of success and monitoring processes.
- Descriptions of policies and intended interventions, including implementation processes and monitoring measures, but without any discussion of the outcomes.
- Descriptions of policies and interventions implemented, including monitoring processes and outcomes, supported by evidence.

Institutional submissions tended to reflect the history that the divided higher education system inherited. Given the emphasis on race as the primary transformation issue, historically black institutions' submissions tended to be different from those of their historically white counterparts. The latter, in the light of their history, and predictably

so, were more comprehensive in explaining their transformation agendas.

The point needs to be made, however, that if one understands that the transformation agenda includes the necessity to examine the underlying assumptions and practices that underpin the academic and intellectual projects pertaining to learning, teaching and research, then transformation is clearly a challenge facing *all* South African higher education institutions, irrespective of their historical origins. In this regard, it may, therefore be suggested that all institutions, including the historically black institutions, ought to be making this the focus of their attention.

The fact that the submissions were so inconsistent in their degree of attention to these issues, is a matter of concern. A further point of note is that although all institutions raised issues of gender in relation to access, few institutions raised the impact of gender in the context of patriarchy and unequal relations of power. The challenges of ethnicity, social class, sexual orientation and disability were also, by and large, given less attention. In making these points, the Committee was very much aware of the fact that the variations in the institutional submissions were also influenced by capacity and resources – human, time and technical – available to the institutions in terms of collecting, collating and analysing the relevant information.

It should also be noted that, with the exception of two institutions, the submissions were prepared by the executive management structures of the various institutions. The fact that other institutional constituencies were not involved or consulted may have been the result of the tight time frames imposed by the Committee.

The more comprehensive submissions are important for mainly two reasons. Firstly, they are an indication that the exercise had been taken seriously and that it provided an opportunity for many institutions, some of them for the first time, to engage seriously with their academic, cultural and social identities. It became clear during institutional visits that the process of preparing the submissions had been challenging but powerfully productive. Secondly, they constitute an important and invaluable resource in understanding the higher education landscape, as well as the progress made and the challenges that remain in giving effect to the transformation agenda outlined in White Paper 3.

Furthermore, aside from the institutional submissions, there were a small number of submissions by individuals from within institutions or national organisations representing particular interest groups. These submissions were useful in providing a counter balance to and, in some cases, challenging, the “official” institutional view, as well as in raising issues that cut across all institutions, such as, for example, disability.

Finally, the institutional policy documents submitted, including the checklist, suggest that all institutions have a comprehensive range of policies in place to deal with issues of transformation and discrimination. However, it was evident that there is a disjunction between policy development and implementation.

An Overview of Institutional Visits

Although institutions were informed well in advance of the Committee’s visits via the offices of their vice-chancellors, levels of preparedness for the Committee’s visits varied considerably. In a number of institutions, across the historical divide, students and staff representatives had only been informed of the Committee’s visit a day or two before the actual event. In some cases, representatives only received their institution’s submission on the actual day of the visit.

The Committee's approach to institutional visits was to listen and to clarify issues, to gain an understanding of how the council, management, staff and students understood transformation, as well as an understanding of their assessment of the impact of the policies and programmes initiated to give effect to the institutional transformation agenda. The Committee did not debate or question the merits or demerits of particular policies or programmes, nor did it attempt to address inconsistencies and apparent contradictions in the institutional submissions. It did not also, it needs to be stressed, seek empirical verification of the issues raised and views expressed. The Committee's approach was, in part, based on the premise that an attempt to do more than merely listening and clarifying would be inappropriate, if not impossible, during a one-day visit to each institution. However, the Committee was also guided by the fact that it was interested in obtaining a sense of the real-life experiences of those concerned, namely students and staff, with regard to their institution's policies on transformation.

The Committee was struck by the fact that, by and large, there seemed to be little or no internal dialogue between institutional constituencies on issues of transformation. Of particular concern is the fact that institutional forums (IFs), which should be facilitating such dialogue, appear to have largely become inactive. However, in a sense, the Committee's visits provided constituencies with a forum, not only for voicing their concerns but, more importantly, for talking to each other outside the restrictions that normally characterise formal consultative and negotiating processes.

Process Constraints

The Committee was profoundly aware of the challenges confronting it in undertaking an investigation and preparing a report which would do justice to the complexity and scale of the issues at hand within a six-month time frame. It was clear to the Committee from the outset that, given the time constraints, it would not be able to compile a comprehensive overview of the state of transformation in the higher education system. It understood that it would not be able to look deeply into the nature of particular issues, and also that it could not do justice to the volume of information that it would have collected.

With regard to the first issue, that of the overview, it is clear that much more comprehensive and painstaking work needs to be done. With regard to the second, it also became clear that the reports, submissions and hearings constitute a formidable body of data that would require much more time to synthesise, distil and analyse. As a consequence, the Committee was aware that it would only be able to provide an overview of the issues and challenges facing the sector. It therefore proposes that the Department of Education (DoE) develops a future strategy for analysing the large body of data that is now available. This report is therefore a first attempt at defining the issues and developing an agenda for future work on transformation.

The Committee was also acutely aware of the fact that it could not give everybody a hearing or provide an opportunity to the great many people who wished to be heard. This limitation, it needs to be emphasised, was not intentional. The Committee did not have the person-power, the time or the resources to be fair to everybody. As a result, the Committee decided to limit its meetings to the statutorily recognised institutional stakeholders and constituencies.

Given these caveats, it is important to flag a crucial caution with regard to the nature of the investigation undertaken and the outcomes reported. This exercise was not an academic exercise and the report should therefore not be judged in terms of the strictures of academic research. Although the Committee had access to primary and

secondary data, including academic studies and institutional surveys, the report is largely based on information that has been provided by institutional stakeholders and constituencies – students and staff in particular. In other words, it is based on these people's view of their experience of transformation or the lack thereof.

The interplay between the primary and secondary data, the institutional submissions and policy documents, as well as the views that emerged during the institutional visits, provided the Committee with sufficient evidence to do an assessment and to provide recommendations for addressing the obstacles and ongoing challenges that continue to bedevil the transformation agenda in higher education.

It is against this background, and mindful of the difficulties involved in undertaking the investigation, that the Committee agreed that, taken at a minimum, its investigation should provide the Minister of Education with the following:

- An overview of the state of discrimination in higher education.
- An indication of the most egregious forms of discrimination that are taking place within the system.
- An insight into models of good anti-discriminatory practices that are emerging within the system.
- An agenda for the areas in higher education most urgently in need of anti-discriminatory measures.
- An identification of the most critical areas requiring further investigation and research.

Overall Assessment of Progress

It is clear from the preceding discussion that the institutional understanding and interpretation of transformation, discrimination and social cohesion, are broadly consistent with the White Paper's vision and framework. In addition, an analysis of the policy documents submitted by institutions, including the checklist questionnaire, which was completed by just under 50% of the institutions, indicates that the sector has formally responded to government's transformation programme. A perusal of these documents indicates gaps and inconsistent approaches to the issues at hand, but the fact of the matter is that all the institutions have complied with the broad transformation requirements placed before them. This is especially so with regard to employment equity. Significantly, where policy gaps do arise, these often related to issues of race and gender. It seems, for example, that racial and gender harassment policies were not always in place and were not receiving sufficient attention.

In the final stages of this overview, the point needs to be made that the Committee's awareness of the complexity of the transformation process has been significantly enhanced. While there are good practices that were developed at some of the institutions, which might serve as models for change in the country, no one must underestimate the difficulties that still exist. There is virtually no institution that is *not* in need of serious change or transformation.

Conclusion

It is clear from this overall assessment of the state of transformation in higher education, that discrimination, in particular with regard to racism and sexism, is pervasive in our institutions. The disjunction that is apparent

between institutional policies and the real-life experiences of staff and students is discussed in more detail in the remainder of the report, which focuses on the real-life experiences of staff and students in relation to specific areas of institutional activity, namely learning, teaching, curriculum, language, residence-life and governance. However, it is necessary to understand why this disjunction exists in the first place, especially as there was consensus amongst both staff and students across institutions that the necessary policies were in place.

It seems that there are mainly two reasons for the disjunction between policy and practice. The first appears to be the result of poor dissemination of information pertaining to policy, limited awareness of policies, a lack of awareness of the roles and responsibilities pertaining to implementation that flow from the policies, and a lack of institutional will.

The second, as the HEQC Institutional Audits indicated, is that, in many institutions, there exists a disjunction between institutional culture and transformation policies. In fact, the lack of consensus and/or of a common understanding of what these policies actually involve, was also raised by various stakeholders and constituencies at a number of institutions during the Committee's visits.

This suggests that a key starting point for the development and implementation of an institutional transformation agenda must be the active involvement of all institutional stakeholders and constituencies. The fact that the institutional submissions, as discussed above, were not subject to institutional consultation processes, is indicative of the problem.

On the basis of the overall assessment of the evidence collected during institutional visits, as well as via documentary reviews, interviews and general reflection on the state of the nation, it is clear that discrimination of any kind is dangerous and extremely costly. The costs are psychological, as well as physical. The human dignity of both the perpetrator and the victim is abused in the process. Psychologically, discrimination does grievous mental harm to those who believe that they are superior to other human beings. And it obviously has a devastating effect on the victims of such discrimination.

These costs are, however, also physical in nature. This is evident in the dehumanising acts of humiliation perpetrated and experienced daily in contemporary South Africa. Perpetrators never fully come to experience what it means to be a dignified human being. They live and operate in a world that reinforces the misconception that the best of what it means to be a human being is represented by their lifestyles, desires and aspirations. Victims are denied the opportunity – either through a lack of access to opportunities or due to outright discrimination – to realise their full potential. In the process, the country is robbed of valuable but untapped human resources. Higher education institutions cause incalculable damage to South African society by failing to deal boldly with these issues. Where institutions have indeed taken action, the benefits to individuals, to the different social groups in the country, as well as to the institutions themselves, have been major.

Having made our point about the challenges and benefits surrounding transformation, in closing we wish to make it clear that the task of effectively overhauling and changing our society does not rest exclusively with higher education institutions. Society at large also has a vital role to play in this regard. But for now our interest is focused on the education system, and we are of the opinion that serious initiatives to address transformation in the schooling sector must be strengthened and sustained.

Key Recommendations

Recommendations to the Minister of Education

1. General

1.1 In view of the serious discrimination on the basis of race and gender noted in this investigation, it is recommended that consideration be given to the development of a transformation compact between higher education institutions and the DoE. This compact should, in the first instance, be based on the general commitments to the development of a culture of human rights that are made in the Constitution and, in the second instance, on clear targets, as well as on problem areas identified in the institution. It is important that, when institutions develop this compact, they do so with the involvement, as well as an awareness of the needs of all their critically important stakeholder groupings. The transformation compact should be included as an integral component of the institutional plans that are submitted by institutions to the DoE.

1.2 In view of the observation that institutions have transformation policies that are often only partially or seldom implemented, the Minister should consider establishing a permanent oversight committee to monitor the transformation of higher education. This committee should submit an annual report to the Minister, who should make the report available for public discussion.

2. Staff Development

2.1 The Ministerial Committee was repeatedly told by institutions that funding for staff development and, more in particular, for nurturing and mentoring black staff members to take up senior level positions, was inadequate. For this reason, the Committee recommends that earmarked funds for staff development posts be made available. These earmarked funds could be provided as part of the state subsidy to higher education institutions and matched by institutional funding. The provision of earmarked funds should be based on the submission of institutional plans that address the question of staff development.

2.2 The Committee was told by several aspiring academics in development posts that that the emolument they received made it difficult for them to remain in academia. They could earn much higher salaries elsewhere. It is recommended that the available funding for staff development posts should take into account the social context of the students – i.e. it should be competitive with the remuneration levels for entry-level professional posts in the public service at least. In this regard, the recently announced UJ scholarship programme, which makes available R150 000 per annum for a three-year period for doctoral programmes, is an example of such a programme.

3. Student Learning Needs

3.1 The Committee welcomes and supports the review of the current undergraduate degree structure, which the Minister has requested the Council on Higher Education (CHE) to undertake. The purpose of this review is to assess the appropriateness and efficacy of the three-year initial degree in dealing with the learning needs of students, given the context of schooling in South Africa and the acknowledged gap between school and higher education institutions. The review should, in particular, consider the 'desirability and feasibility' of the introduction of a four-year undergraduate degree, which was mooted by the CHE in its *Size and Shape Report* in 2000 (CHE, 2000), and which came to the fore again in the National Plan for Higher Education (NPHE, 2001: 32), as a subject for possible investigation. This would include reviewing the role of academic development programmes and their integration into a new four-year formative degree.

3.2 The Minister should consider allocating a portion of the earmarked funds for academic development to support curriculum development initiatives, both at an institutional and a system-wide level.

4. Student Accommodation Needs

4.1 Socio-economic factors, particularly those pertaining to social class, were repeatedly raised by students as an inhibiting factor concerning their ability to not only access higher education opportunities but to take full advantage of the range of opportunities provided. The Committee recognises the progress that has been made in providing financial assistance to needy students via the National Student Financial Aid Scheme (NSFAS). However, this is clearly insufficient and it is imperative that the Ministry leverages additional resources to facilitate access to, and the success of, financially disadvantaged students at higher education facilities.

4.2 In light of the shortage of residence accommodation in the historically black institutions, as well as the fact that it seems that many of the residences at these institutions are in a poor state of repair, the Minister should give consideration to leveraging resources to enable the construction of additional residences.

5. Knowledge

5.1 The Committee found that students who are not first language-speakers of English continue to face challenges in many of the institutions. It also found that the implementation approach to the parallel-medium language policies that are in place in a number of historically Afrikaans-medium institutions discriminated against black students. The Minister is therefore urged to initiate a broad review of the obstacles facing the implementation of effective language policies and practices, including a study of the application of equitable language policies and practices found in countries with similar social differences to those of South Africa.

5.2 In light of the difficulties many institutions are facing in implementing their intention to give effect to their commitment to multilingualism and, in particular, the development of African languages as academic languages and languages of communication, it is recommended that the Minister should request institutions to indicate, as part of their institutional planning processes, how they will be addressing these difficulties.

6. Governance

The major conclusion to which the Committee came upon reviewing the efficacy of councils in providing leadership in higher education institutions is that several of them had failed to realise the full scope of their responsibilities in respect of transformation. The Committee frequently encountered passivity and dependence on management on the one hand, and a deference to alumni on the other. Both of these impeded the urgency of the institution's transformation agenda. In light of this, the Committee:

6.1 recommends that the Minister initiates a review of the size and composition of councils in particular, in order to assess the appropriate balance between external and internal members, given the dominance of management, as well as the role of particular categories of members, such as donors, the convocation and alumni on councils;

6.2 welcomes and supports the review of the role and functions of the Institutional Forums (IFs) that the Minister has initiated, as it is of critical importance that the role of the IFs be strengthened; and

6.3 recommends that the DoE should facilitate the training of council members, including holding an annual conference during which the role, functions and performance of councils are reviewed.

Recommendations to Higher Education Institutions

7. Staff Development

7.1 The Committee found that there were inadequate networks and structures in place in institutions to identify and retain black and female members of staff. Institutional staff development programmes, aimed at black and female postgraduate students, such as the *Grow your own Timber Programme* (GOOT), should be linked to the creation of posts, which would ensure that there is job security for the participants in such programmes upon completion of their doctoral studies. The posts and the allocation of resources for the posts should be clearly identified in the institutional planning process. This should be continued until a critical mass of black and female staff members has been absorbed into institutions.

7.2 As was indicated in 2.1. above, levels of financial support for new and aspiring members of staff were found to be insufficient. While it is recommended that the state ring-fences funds for this purpose, it is also recommended that the institutions themselves take up the challenge

of finding additional sources of funding to support and mentor staff members upon their entry into academia.

7.3 Given the financial difficulties faced by young black and female academics, as reported in 2.2. above, the Committee recommends that institutions give consideration to structuring support packages for these staff members, which are competitive with the salaries for entry-level professional posts in the public service, at least.

7.4 A disturbing phenomenon in some institutions, as reflected in reports given to the Committee, related to the harassment by white students of black members of staff. The Committee recommends that institutions take steps to both educate and discipline students who are found to behave in a racist way to members of staff.

7.5 The Committee found that, in a number of institutions, there was inadequate and insufficient clarity with regard to the guidelines and procedures pertaining to promotion. It therefore recommends that institutions should all be required to put in place steps for clear, transparent and transformation-supporting guidelines pertaining to promotion, including teaching and research performance indicators. They should furthermore be required to report on these in their institutional planning frameworks.

7.6 In view of the difficulty of appointing female and black academics in permanent positions, it is recommended that institutions develop clear and transparent policies for the appointment of retired staff members in supernumerary and contract posts. This should only be allowed if these are linked to staff development posts, and/or alternately if the ability of the institution to fulfil its core academic mission and deliver its programmes appears to be compromised.

7.7 The Committee has come to understand that the principle of devolution of authority placed a great deal of responsibility on the shoulders of middle-level line managers in the system. This meant that important decisions, relating to transformation, were often being taken inappropriately and sometimes incorrectly by the staff members concerned. It is recommended that the vice-chancellor of the institution should be held directly accountable for the achievement of employment equity targets. This should be done as part of his or her performance management contract. Council should take direct responsibility for monitoring employment equity by establishing an employment equity sub-committee, chaired by an external member of Council.

7.8 A common problem encountered by the Committee was a lack of understanding on the part of academic and professional staff members of the importance of employment equity. It is recommended that institutions develop monitoring mechanisms to ensure that all interview processes routinely include review protocols to guarantee that the principles of fairness and objectivity are observed. Similarly, the Committee recommends that interview panels for staff appointments should reflect, as well as be sensitive to the issues of race and gender equity. These panels should be demographically representative, which may require the use of external panel members.

8. Student Achievement

8.1 Despite the ongoing efforts to provide academic development and support programmes, the throughput and graduation rates of black students remain low. In addition, completion rates for white students are also low. Universities should devise approaches that will improve throughput rates of students, while government, as part of its human capital development initiatives, provides financial support to students who are studying in fields where skills are scarce. It is apparent that some students are failing to succeed because they are also doing other jobs in order to support their families. This applies largely to black students who cannot afford to study on a full-time basis.

8.2 The Committee heard mixed reports about the success of academic development programmes. While these were often labelled as being indispensable, they also, however, appeared to be vehicles of racialisation. To avoid racial stigmatisation of students, there should be clear and transparent criteria and guidelines developed by all institutions for admission of students to academic development programmes. These should be communicated to all students as part of the admissions process.

8.3 In light of the continuing discrimination that students are facing across the spectrum of institutions in the country, it is recommended that institutions should introduce compulsory staff development programmes to familiarise staff members with and sensitise them to the learning needs of students from diverse backgrounds.

8.4 Given both the subtle and insidious forms of gender discrimination and harassment being experienced by female students on several campuses, it is recommended that institutions take serious steps to both protect and promote the interests of women. These could include gender sensitisation campaigns, aimed at everybody, and confidence-building training programmes, aimed at women in particular.

8.5 Orientation continues to be a breeding ground for inappropriate forms of induction into institutions. The Committee heard about humiliating experiences, suffered by male students in particular, in several institutions. It is recommended that institutions review their student orientation programmes to ensure their appropriateness in terms of addressing issues of inclusivity and diversity, while preserving the dignity of students. These programmes should, furthermore, clearly state the academic rules and regulations that govern academic study.

8.6 The needs of and measures taken to address the concerns of disabled students were not brought to the attention of the Committee. Institutions should complement their disability policies with an institutional plan to support the learning needs of students with disabilities. Where appropriate, especially given the resource-intensive nature of some aspects of catering for disabled students, a regional plan should also be drawn up.

9. Student Accommodation

9.1 De facto racial segregation and discrimination appear to have developed in the admission practices of several institutions. The Committee strongly recommends the immediate abolition of such practices, including those that result in racially defined room allocations. It recommends the development of placement policies that will create the opportunity for students from different backgrounds to live together. The implementation of such policies will require a shift from the current decentralised system, in which room placements are decided upon by the residence committee, to a centralised system in which placements are determined by the residence office. Placements could be done either by random allocation, such as the University of Cape Town (UCT) and Rhodes University (RU) have introduced, or through the practice of 'constituting the residence' (based on the American notion of constituting the class), which is based on an agreed set of criteria.

9.2 Following the recommendation immediately above, it is further recommended that the placement system be centralised and accompanied by the establishment of stringent monitoring systems to ensure that the policy is not subverted by residence committees and managers.

9.3 The Committee learnt that election processes for residence committees were often not sufficiently sensitive to the needs of black students. The structure of and election procedures for residence committees should be reviewed with a view to putting in place processes which would ensure that residence committees are demographically representative.

9.4 The Committee also learnt that induction, orientation and 'citizenship' practices in residences continued to be practised on the basis of seniority in a large number of institutions. In many of these institutions senior students continue to expect 'blind obedience' from junior students. The Committee recommends that the organisational and governance structure of residences be reviewed to ensure that the power and authority that senior students have over junior students are removed entirely.

9.5 In similar vein, and because of similar problems, the Committee recommends that all initiation ceremonies and activities be banned, irrespective of whether an activity causes bodily harm or not. A toll-free (and anonymous) complaints line should be established to allow students to register infringements of this policy. The punishment for contravening the policy should be expulsion from the institution.

9.6 In some institutions it appeared that residence managers were chosen on ethnic grounds. It is recommended that institutional employment equity plans be applied to residence employees, so as to ensure that the composition of residence managers is demographically representative.

9.7 Given the pervasive difficulties residence managers appeared to experience in dealing with students of different backgrounds, it is recommended that the training programmes that are run for residence staff and residence committees should be reviewed so as to ensure their appropriateness for and relevance to sensitising trainees to diversity in the context of institutional policies and national goals.

10. Knowledge

10.1 The Committee found that the transformation of what is taught and learnt in institutions constitutes one of the most difficult challenges this sector is facing. In light of this, it is recommended that institutions initiate an overall macro review of their undergraduate and postgraduate curricula, so as to assess their appropriateness and relevance in terms of the social, ethical, political and technical skills and competencies embedded in them. This should be done in the context of post-apartheid South Africa and its location in Africa and the world. In short, does the curriculum prepare young people for their role in South Africa and the world in the context of the challenges peculiar to the 21st century?

10.2 Given the decontextualised approaches to teaching and learning that are evident in virtually every institution, it is recommended that institutions give consideration to the development of curriculum approaches that sensitise students to the place of, and the issues surrounding South Africa on the African continent and in the world at large. These could comprise either a common and compulsory first-year course for all students in South Africa, Africa and the world, along the lines of the University of Fort Hare's (UFH) Grounding Programme, or an infusion approach, which places South Africa in the foreground in a range of different disciplines, courses and programmes.

11. Governance

11.1 In light of the discussion in Recommendation 6 above, it is recommended that institutional councils should develop a clear transformation framework, including transformation indicators, accompanied by targets. This should form the basis of the vice-chancellor's performance contract.

11.2 In view of the absence of a general transformation plan in the majority of institutions in the country, it is recommended that institutions develop a transformation charter for themselves, which could serve as a guideline and an accounting instrument for change applicable to everybody who forms part of an institution.

11.3 The Committee found that the freedom and right of students to organise along political lines had been taken away at some institutions. It is recommended that this right be reinstated.

11.4 The Committee recommends that every institution, via its council, establishes an Office of the Ombudsman. The Ombudsman would need to be independent of the institution and would receive and deal with all complaints relating to discrimination within that particular institution.

Chapter One

Introduction

1. Context

In February 2008, a video made by four young white Afrikaner male students of the Reitz Residence at the University of the Free State (UFS) came into the public domain. It showed the students forcing a group of elderly black (cleaning) workers, four women and one man, to eat food into which one of the students had apparently urinated. Predictably, the public was outraged. The video, which won first prize in a cultural evening competition at the residence, ostensibly sought to portray an initiation ceremony. However, its real intent was to protest against the University's recently introduced policy to integrate the student residences. As one of the students states in the video:

> The Boers (Afrikaners) lived happily in Reitz until the day that the previously disadvantaged discovered the word integration in a dictionary. Reitz was then forced to integrate and we started our own selection process. (Georgy, 2008)

The public anger and condemnation that followed demanded that action be taken. The University swiftly instituted disciplinary proceedings against two of the students who were still registered (the other two had graduated at the end of 2007 when the video was made). However, it was clear that, while welcomed, the disciplinary proceedings in themselves were not sufficient. The incident brought to the fore the bigger question of how an event of such intense insensitivity could have happened after 1994. Moreover, the question was posed as to how an institution of higher education, which is supposed to be about broadening young people's minds and preparing them for engaging with social and intellectual differences in people, could produce this level of narrow-minded mean-spiritedness?

It was in this context that the Minister of Education, Naledi Pandor, MP, announced in March 2008, by way of a notice in the *Government Gazette* (Notice 441, *Government Gazette* No. 30967, 28 March 2008, included in Appendix 1), the establishment of a *Ministerial Committee on Progress Towards Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions* to "investigate discrimination in public higher education institutions, with a particular focus on racism, and to make appropriate recommendations to combat discrimination and promote social cohesion" (ibid.). The Committee's Terms of Reference state that it "must report on the following:

- The nature and extent of racism and racial discrimination in public higher education, and in particular university residences. While the emphasis should be on racial discrimination, other forms of discrimination, based, on, for example, gender, ethnicity and disability should also be considered.

- The steps that have been taken by institutions to combat discrimination, including an assessment of good practice as well as shortcomings of the existing interventions.

And

- Advise the Minister of Education and the key constituencies in higher education on the policies, strategies and interventions needed to combat discrimination and to promote inclusive institutional cultures for staff and students, which are based on the values and principles enshrined in the Constitution.

- Identify implications for other sectors of the education system." (Ibid.: 3).

1.1 Defining the Committee's Brief

The Committee located its investigation within the context of the transformation agenda of *Education White Paper 3: A Programme for the Transformation of Higher Education* (DoE: 1997). White Paper 3 explains that transformation "requires that all existing practices, institutions and values are viewed anew and rethought in terms of their fitness for the new era" (WP: 1.1). At the centre of the transformation agenda in terms of 'fitness', is the White Paper's vision for the establishment of a single national coordinated higher education system that is 'democratic, non-racial and non-sexist', and that will:

- promote equity of access and fair chances of success to all who are seeking to realise their potential through higher education, while eradicating all forms of unfair discrimination and advancing redress for past inequalities
- meet, through well-planned and co-ordinated teaching, learning and research programmed, national development needs, including the high-skilled employment needs presented by a growing economy operating in a global environment
- support a democratic ethos and a culture of human rights by educational programmed and practices conducive to critical discourse and creative thinking, cultural tolerance, and a common commitment to a humane, non-racist and non-sexist social order
- contribute to the advancement of all forms of knowledge and scholarship, and in particular address the diverse problems and demands of the local, national, southern African and African contexts, and uphold rigorous standards of academic quality. (White Paper: 1.14)

The White Paper's vision and the goals that flow from it provide the backdrop against which to assess the progress of the higher education sector with regard to transformation, social cohesion and the elimination of discrimination. Although the White Paper outlines a comprehensive set of goals, the following were particularly pertinent to the Committee's investigation:

- To provide a full spectrum of advanced educational opportunities for an expanding range of the population irrespective of race, gender, age, creed or class or other forms of discrimination.
- To improve the quality of teaching and learning throughout the system and, in particular to ensure that curricula are responsive to the national and regional context.
- To produce graduates with the skills and competencies that build the foundations for lifelong learning, including, critical, analytical, problem-solving and communications skills, as well as the ability to deal with change and diversity, in particular, the tolerance of different views.
- To develop capacity-building measures to facilitate a more representative staff component which is sensitive to local, national and regional needs, and is committed to standards and ideals of creative and rigorous academic work.

- To transform and democratise the governance structures of higher education.
- To establish an academic climate characterised by free and open debate, critical questioning of prevailing orthodoxies and experimentation with new ideas.
- To encourage and build an institutional environment and culture based on tolerance and respect. (White Paper 3: 1.27 & 1.28)

While the White Paper provided the Committee with a clear statement of what a transformed higher education landscape should look like, the Committee still had to clarify and develop a working definition of discrimination and racism for itself to define and guide its investigation. The Committee defined discrimination as the practice of ideas and beliefs that had the effect of sustaining unearned privilege and disadvantage, and of impeding groups or individuals from performing to their full potential. Even if such discrimination was not intentional, its consequences for those adversely affected were important to recognise. This definition is consistent with the one spelt out in the *Model National Legislation for the Guidance of Governments in the Enactment of Further Legislation Against Racial Discrimination*:

> Discrimination is the denial of equality, based on personal characteristics such as race, or prejudice and stereotype. Racial discrimination means any distinction, exclusion, restriction, preference or omission based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing directly or indirectly, the recognition, equal enjoyment or exercise of human rights and fundamental freedoms recognised in international law. (http://www.unhchr.ch/html/menu6/2/pub962.htm)

It is also in line with the South African Constitution, which defines discrimination so as to include "race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth" (Constitution of the Republic of South Africa, 1996, Chapter 2: Bill of Rights).

An important qualification for the approach taken by the Committee, which is again consistent with the Constitution, is that it recognises that measures introduced to address past inequalities do not constitute unfair discrimination. As the Constitution states:

> Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken. (Ibid.)

The Committee noted that while its definition of discrimination sought to be all-encompassing and required of it to be alert to all forms of discrimination, in practice its focus would have to be on racism given that racism and racial discrimination were explicitly placed at the core of its Terms of Reference. The reasons for this are obvious. Race has come to be the major fault line in South Africa's social, economic and political relations in its 350-year history of colonialism, segregation and apartheid. And despite the adoption of a new Constitution, which is explicitly based on non-racialism as a foundational value, the racial divides of the past continue to haunt the country.

While racism, like other forms of discrimination, is based on unequal relations of power, what distinguishes it is that it is an ideological phenomenon. As an ideological phenomenon, racism in the South African context is intrinsically connected to white supremacy, which provided the ideological underpinning for colonialism and apartheid. This is a critical analytical distinction, as racism is often intertwined with other forms of discrimination, such as class,

gender, ethnicity, religion, language and xenophobia and uses the latter to justify and reproduce itself.

Racism draws on racialised ideas and beliefs, which shape the cultures and practices that sustain the unequal treatment of groups and individuals. In processes of racialisation discrete groups of human beings have attributed to them negatively evaluated characteristics, which may be either biological or cultural. As Miles argues:

> Thus all the people considered to make up a natural, biological collectivity are represented as possessing a range of (negatively evaluated) biological or cultural characteristics. It follows that such a naturally defined collectivity constitutes a problematic presence: it is represented ideologically as a threat. (1993: 79)

The critical point not to be ignored or under-estimated in this explanation is that there is now irrefutable evidence that race, as a biological phenomenon has no scientific basis. It does not exist. The genetic differences that have been used to distinguish the so-called races have no significance in determining human capability, character, behaviour and what makes them different from one another. What has happened, however, is that the false beliefs about race have come to be so significant that they play a critical role in determining relationships that human beings have with each other.

The articulation of racism often begins in theoretical terms but invariably moves on to take a practical format. Understanding this process is important. Firstly, it is presented as a relatively coherent theory, which is underpinned by assumptions about the inherent/innate capability/disability of particular groups of people. These assumptions may or may not be supported by 'empirical' evidence. Scientific theories of race that claimed, for example, that 'Negroes' had smaller brains than 'Caucasians', were celebrated in universities and societies of learning, particularly in South Africa, as late as the 1930s and 1940s.

The 'findings' of this kind of theory were often, but not always, codified and found their way into texts such as found in policies, regulations and laws to produce what is described below as systemic and institutional racism. With this kind of validation, racism came to be used as a basis for managing individual relations in everyday life, and to underpin the stereotypes, images, attributions and explanations used to justify and account for the exclusionary and discriminatory treatment of groups of people. Racism in inter-personal relationships is reflected in practices, traditions, aesthetic representations, symbols, artefacts and so on. Based on these distinct forms of racism, the following have emerged:

(i) *Systemic racism* is supported by deep-rooted institutional processes, practices and structures, which perpetuate unearned privilege and disadvantage. This kind of racism is embedded in the rules, laws and regulations of a society, such as in Apartheid South Africa.

(ii) *Institutional racism* is similar to systemic racism but has as its unit of analysis an organisation or social structure. In this instance one can identify either policies or practices, or both, which have the effect of discriminating against people because of their 'race'.

(iii) *Interpersonal racism* refers to racism that may exist in relationships between individuals. These may or may not be influenced by systemic and institutional forms of racism.

(iv) *Personal racism* refers to racist prejudices, values, beliefs, feelings, assumptions and attitudes

that people may have within them. These may or may not be expressed to others, but operate within the individual.

These categories, which provide a schematic presentation of racism, are particularly useful in processes of social analysis or social enquiry, such as this investigation. They enable the identification, via an analysis of documents, policies and real-life experiences, of both the prevalence and kind of racism that may permeate and characterise the higher education system.

Furthermore, the Committee agreed that gender discrimination or sexism should also receive special attention. Like racism, it is an ideological phenomenon, based on unequal relations of power between men and women and underpinned by the ideology of patriarchy. Indeed, the importance of both is underscored by the fact that non-racialism and non-sexism constitute foundation values in the Constitution (op. cit.) and, as indicated above, are central to the transformation agenda in higher education.

1.2 Process

The Committee's investigation was based on a combination of documentation analysis and interaction with higher education stakeholders and constituent groupings. It included the following:

- An overview of the current trends in the higher education system, based on quantitative data contained in the Higher Education Management Information System (HEMIS). The relevant tables are outlined in Appendix 2.

- A survey of the relevant literature pertinent to the key themes of the investigation.

- Analyses of institutional submissions, as well as of policy and strategic documents, including the Higher Education Quality Committee (HEQC) Institutional Audit Reports. (A list of the submissions and policy documents received is contained in Appendix 3.) In this regard, it should be noted that institutions were invited to:

  > make a submission on the progress made towards transformation, social cohesion and the elimination of discrimination within higher education in general, and in their institution in particular. The submission had to include an assessment of the policies, strategies and interventions that each institution had put in place to address these, including providing examples of good practice, which could be replicated nationally. (A list of the institutional submissions received is contained in Appendix 4.)

- Analysis of a questionnaire on the development and implementation of policies relating to transformation, discrimination and social cohesion within higher education institutions. The purpose of the questionnaire, which was sent to all institutions, was to cross-check the information on existing policies contained in the submissions and policy documents. (A list of the institutions that responded is contained in Appendix 5.)

- Analysis of submissions received from both national organisations and individuals, resulting from a public call for submissions via the media. (A list of the submissions received and a copy of the advertisement are contained in Appendix 6.)

- Visits to all institutions to solicit the views of institutional stakeholders and constituencies, including council, executive management, student leaders, staff representatives from both academic and support staff, as well as staff associations and trade unions.

- Consultation with national student and trade union organisations. (A list of the organisations consulted is contained in Appendix 7).

1.3 Overview of Institutional Submissions

The institutional submissions varied in terms of the issues and concerns raised, as well as the quality of the input. These ranged from submissions that provided no more than a covering letter attached to a compendium of institutional policy documents, to comprehensive submissions that reflected on the appropriateness of the Committee's Terms of Reference, as well as on institutional challenges, while providing an assessment of institutional policies that were in place and identified innovative programmes and projects that had been introduced to support the transformation agenda. The differences and variations are best illustrated by the way in which institutions provided evidence to support their claims, which included the following:

- Broad claims regarding transformation supported by mission and other public statements.
- Description of policies and intended interventions without any accompanying discussion of implementation procedures, time frames, measurements of success and monitoring processes.
- Description of policies and intended interventions, including implementation processes and monitoring measures, but without any discussion of the outcomes.
- Description of policies and interventions implemented, including monitoring processes and the outcomes, supported by evidence.

Institutional submissions tended to reflect the historical issues that the divided higher education system bequeathed to them. Given the emphasis on race as the primary transformation issue, historically black institutions' submissions tended to be different to those of their historically white counterparts. The latter, in light of their histories, and predictably so, were more comprehensive in explaining their transformation agendas.

The point needs to be made, however, that if one understands that the transformation agenda includes the necessity to examine the underlying assumptions and practices that underpin the academic and intellectual projects pertaining to learning, teaching and research, then transformation is a challenge facing *all* South African higher education institutions, irrespective of their historical origins. In this regard, it may be suggested, therefore, that all the institutions, including the historically black institutions, ought to be making this the focus of their attention. The fact that the submissions were so inconsistent in their degree of attention to these issues, is a matter of concern.

A further point of note is that, although all institutions raised issues of gender in relation to access, few institutions raised the impact of gender in the context of patriarchy and unequal relations of power. The challenges of ethnicity,

class, sexual orientation and disability were also largely ignored. Moreover, the Committee was very much aware of the fact that the variations in the institutional submissions were also influenced by capacity and resources – human, time and technical – available to the institutions in terms of collecting, collating and analysing the relevant information.

It should also be noted that, with the exception of the University of KwaZulu- Natal (UKZN) and Rhodes University (RU), the submissions were prepared by the executive managements of the various institutions. The fact that other institutional constituencies were not involved or consulted could have been the result of the tight time frames imposed by the Committee. However, as the UKZN and Rhodes approach indicates, the time frames in themselves were not an obstacle to involving the broader institutional community in the preparation of the submissions. At UKZN, a task team, comprising staff representatives from the different campuses, supported by a research team, prepared the submission (UKZN, 2008: 2-3). They were able to solicit and gather information from various institutional constituencies, even if it was only on a limited basis. Similarly, the RU's submission was commissioned and prepared by staff members, which was the result of an agreement reached at a 'meeting of key constituencies' (RU, 2008: 4) on the approach to be taken. And, interestingly enough, in both cases the submission was seen as part of an ongoing process to debate and discuss the issues at hand:

> … the most constructive approach would be to divide the process into a short-term and longer-term phase. The former would produce a submission to the Ministerial Committee that would, at the very least, provide a guide to policy and illustrate, with cases of practice, the UKZN response to the three areas of the official investigation. The latter would ensure that the collection of material relevant to the issues, and a process of evaluation – of both policy and of the practice – would continue beyond the deadline for the submission. The process of preparing the submission served to identify and evaluate practices that exist and areas for intervention that are needed to be reformed or created. This is a deliberate long-term project, articulating with such processes of evaluation as already occur…. (UKZN, 2008: 3-4)

> Our overall objective in producing this report is not merely to comply with the minimum requirements of the Ministerial Committee but to produce a genuinely self-critical report which will be the basis for further engagement with members of the Committee but will also assist us as an institution in enriching our existing practices in order to build and improve on work already done to combat discrimination, promote social cohesion and forge an inclusive institutional culture at Rhodes. Since we are an academic institution it is perhaps fitting that our reflections are of an academic rather than narrowly technical nature. We are informed in our thinking by a wide literature which addresses questions of equality, justice, transformation, race and gender among other. (RU, 2008: 4-5)

The more comprehensive submissions are important for mainly two reasons. Firstly, they are an indication that the exercise has been taken seriously and that it provided an opportunity for many institutions, some of them for the first time, to engage seriously with their academic, cultural and social identities. It became clear during the institutional visits that the process of preparing the submissions had been challenging but powerfully productive. Secondly, they constitute an important and invaluable resource for understanding the higher education landscape and the progress made and the challenges that remain in giving effect to the transformation agenda outlined in the White Paper.

Furthermore, aside from the institutional submissions, there were a small number of submissions from individuals within institutions or national organisations representing particular interest groups. These submissions were useful in providing a counter-balance to and, in some cases, challenging, the 'official' institutional view, as well as in raising issues that cut across all institutions, such as, for example, disability.

Finally, the institutional policy documents submitted, including the checklist, suggest that all institutions have a comprehensive range of policies in place to deal with issues of transformation and discrimination. However, as discussed in Chapter 2, there is a disjunction between policy development and implementation.

1.4 Overview of the Institutional Visits

The institutional visits, which took place between mid-July and mid-August 2008, had two objectives:

(i) To explore the institutions' understanding of transformation and how this has been reflected in formal policies, regulations and practices – including challenges, difficulties, obstacles and successes.

(ii) To explore the relationship between stated policy and intentions and the everyday experience of stakeholders and constituencies in relation to transformation – including the challenges, difficulties, obstacles and successes.

Although institutions were informed well in advance of the Committee's visits, via the offices of their vice-chancellors, levels of preparedness varied considerably. Stakeholders from one institution only came to know about the Committee's visit a day before the Committee's arrival and, in another instance, they only became aware of the visit when the Committee appeared on their doorstep. In another case, students and staff representatives only saw their institutional submission on the day of the visit. This suggests that either there are, at best, significant weaknesses in the internal communication systems of these institutions or, at worst, that there were deliberate attempts by institutional management to prevent constituencies from preparing for the Committee's visit. In this regard, the Committee received complaints on at least two occasions from individuals and groups, indicating that they had been deliberately left out of the groups of people that had been assembled for the purpose of meeting the Committee. And, on both occasions, the Committee made it clear that it would not sanction any attempt to prevent its members from meeting those stakeholder groups who specifically wished to address the Committee.

The Committee's approach to the institutional visits was to listen and to clarify issues, to gain an understanding of how council, management, staff and students understood transformation, as well as an understanding of their assessment of the impact of the policies and programmes initiated to give effect to the institutional transformation agenda. The Committee did not debate or question the merits or demerits of particular policies or programmes, nor did it attempt to address inconsistencies and apparent contradictions in the institutional submissions. It did not also seek empirical verification of the issues raised and views expressed. The Committee's approach was, in part, based on the premise that an attempt to do more than merely listening and clarifying would be inappropriate, if not impossible, during a one-day visit to each institution. However, the Committee was also guided by the fact that it was keen on getting a sense of the real-life experiences of those concerned, namely students and staff, with regard to their institution's policies on transformation. This could best be done, despite the limitations inherent in such an approach, as discussed below, by allowing them to 'voice' their real-life experiences. And 'voice' they did, including talking about their pain, anger, fear and anxieties with regard to transformation.

Indeed, the outcomes of this investigation and the findings reported are, to a large extent, the result of the 'voice' of those concerned and their real-life experiences of transformation, or the lack thereof, within higher education institutions. This suggests, and the Committee took cognisance of the fact, that there seemed to be little or no internal dialogue between institutional constituencies on issues of transformation. Of particular concern is the fact that it appears as though institutional forums, which should be facilitating such dialogue, have largely become inactive, as is discussed in Chapter 7.

In this context, the Committee's visit provided constituencies with a forum, not only for voicing their concerns but, and more importantly, for talking to each other outside of the dialogical restrictions that characterise formal consultative and negotiating processes. As a white student at the University of Pretoria (UP), who lives in a mixed residence, stated:

> We need to learn to communicate with each other effectively and we need to be trained to do that. (UP meeting with students)

This was echoed by a black student at the University of the Free State (UFS) who argued:

> We need to find common ground and listen to each other instead of being defensive and taking offence, especially when issues are raised by the 'other'. (UFS meeting with students)

Similarly, trade union representatives at the University of Johannesburg (UJ) pointed out there was a "need for open and honest engagement to enable different constituencies to find each other." In their view, this was not happening, because of the insistence within their institutions of privileging the status of senior professors rather than accepting the equality of participants in institutional discussions on transformation (UJ meeting with unions).

1.5 Process Constraints

The Committee was profoundly aware of the challenge confronting it in undertaking an investigation and preparing a report which would do justice to the complexity and scale of the issues at hand within a six-month time frame. It was clear to the Committee from the outset that, given the time constraints, it would not be able to develop a comprehensive overview of the state of transformation in the higher education system. It understood that it would not be able to look deeply into the nature of particular issues, and also that it could not do justice to the volume of information that it would have collected.

With regard to the first issue, it is clear that much more comprehensive and painstaking work needs to be done. With regard to the second issue, it also became clear that the reports, submissions and the hearings constituted a formidable body of data that would require much more time to synthesise and distil. The Committee was therefore aware that it would only be able to provide an overview of the issues and challenges, and thus proposes that the Department of Education (DoE) develops a future strategy for analysing the large body of data that is now available. This report is therefore a first attempt at defining the issues and developing an agenda for future work on transformation in higher education.

The Committee was also acutely aware of the fact that it could not give everybody a hearing and provide an opportunity to the great many people who wished to be heard. This limitation, it needs to be emphasised, was

not intentional or ideological. The Committee did not have the person-power, the time or the resources to give everybody an equal opportunity to state a point of view. As a result, the Committee decided to limit its meetings to the statutorily recognised institutional stakeholders and constituencies. The Committee acknowledges that this could have resulted in the exclusion of individuals and/or groups who wished to meet with the Committee, as was suggested as an approach by the Anti-Racist Network, a group of academics from several institutions established to act as a resource and focal point for ensuring ongoing focus on transformation within institutions. As the Anti-Racist Network argues:

> The recent Ministerial Task Team process that occurred at institutions nationally has had certain limitations stemming from practices internal to universities. There are members of the Network who believe that there was insufficient space for different voices to be heard and that the exclusion of these voices made individuals feel silenced. We raise this since it is relates to the need for broader public or institutional debate on the issues of race and transformation. It was noted by some participants that there is limited tolerance in terms of discussions of race at the institutional level. Aside from the implications for academic freedom inside institutions, a further problem in terms of 'not naming it', is that when racist instances occur at institutions there is limited structural recourse for either staff or students to address the problem. *Participants noted that often complaints by staff and students resulted in the individual complainant being constructed as the problem*. The complainant is either 'too sensitive', 'did not make the grade' or 'is always problematic and always has some grievance'. (Anti-racist Network, 2008:5)

And although there were no restrictions in terms of doing written submissions, the Committee recognises that the latter could not be substituted for the 'voice' of the people.

Given these caveats, it is important to make a final point with regard to the nature of the investigation undertaken and the outcomes reported. This exercise was not an academic exercise and the report should therefore not be judged in terms of the restrictions of academic research. Although the Committee had access to primary and secondary data, including academic studies and institutional surveys, the report is based largely on information that has been provided by institutional stakeholders and constituencies – students and staff in particular. It is based on their view of their experience of transformation or the lack thereof. This was done deliberately, as discussed above, to give 'voice' to the real-life experiences of students and staff. This 'voice' has been privileged in this report. In the Committee's view, it provides important insights into understanding the progress that has been made "towards transformation and social cohesion and the elimination of discrimination" in higher education institutions. As a result of the focus on this 'voice', which is subjective, the Committee was unable, and this is a crucial caution, to verify the claims, both positive and negative, which were made by the individuals and groups whom the Committee met during these institutional visits, as well as in the written submissions received.

However, it should not be inferred that, because the claims made and the views offered were not subjected to empirical scrutiny, that this report does not adequately or accurately reflect the state of transformation in the higher education system. The interplay between the primary and secondary data, the institutional submissions and policy documents, as well as the views that emerged during the institutional visits, provided the Committee with sufficient evidence to do an assessment and to provide recommendations for addressing the obstacles and ongoing challenges that continue to bedevil the transformation agenda in higher education.

It is against this background, and mindful of the difficulties involved in undertaking the investigation, that the Committee agreed that, taken at a minimum, its investigation should provide the Minister of Education with the following:

- An overview of the state of discrimination in higher education.
- An indication of the most egregious forms of discrimination that are taking place within the system.
- Insight into models of good anti-discriminatory practice that are emerging within the system.
- An agenda for the areas of higher education most urgently in need of anti-discriminatory measures.
- An identification of the most critical areas requiring further investigation and research.

Chapter Two

Overall Findings: Transformation, Discrimination and Social Cohesion

2. Introduction

As indicated in Chapter 1, the Committee's understanding of transformation is based on the approach contained in White Paper 3, which argues that transformation "requires that all existing practices, institutions and values are viewed anew and rethought in terms of their fitness for the new era" (White Paper 3: 1.1). Central to the notion of 'fitness' are the foundation values of the Constitution, namely, non-racialism and non-sexism. This provides the context for assessing the state of transformation in higher education institutions, the progress made and the challenges that remain, which are all discussed in this chapter.

The assessment of the state of transformation in this chapter remains at the level of the wider context. It does not assess transformation in terms of the specific issues raised by students and staff during the course of the Committee's visits to institutions. The more detailed and specific assessment of the real-life experiences of students and staff is undertaken in subsequent chapters that focus, *inter alia*, on the learning, living, working and governing experience of both students and staff. However, it is important to locate any assessment – general or specific – in the context of the institutions' understanding of transformation, discrimination and social cohesion.

2.1 Institutional Interpretations of Transformation

In broad terms, although not all the institutions included an explanation of their understanding of transformation in their submissions, two interpretations of transformation emerged from the institutional submissions. Firstly, a general and narrow understanding of the term was presented where transformation was interpreted in terms of institutional compliance in response to constitutional principles and national policy goals and imperatives, including race and gender equity, skills needs, effective teaching and learning and financial sustainability.

Secondly, a broader understanding emerged in which transformation was defined as more than rectifying the 'demographic imbalances of the past' and "encompass(ing) relevant and meaningful change in the academic, social, economic, demographic, political and cultural domains of institutional life" (UP, 2008: 10). In this sense, transformation involves, as the University of Cape Town (UCT) suggests, 'two complementary domains':

> … the formal processes of students and staff support, the curriculum, teaching and learning and research work, and the informal 'climate' of the university – the ways in which people relate to one another on a day-to-day basis. (UCT, 2008: 6)

Furthermore, in the formal processes, a distinction could be made between processes linked to legislative and policy imperatives, such as staff and student equity, and epistemological transformation, i.e. "how knowledge is conceived, constructed and transmitted" (Hall, 2006). Similarly, the informal climate includes both inter-personal relationships and "less tangible, but equally important aspects of transformation, as well as the traditions, symbols and customs of daily interaction which combined constitute institutional culture" (ibid.). In short, the latter refers

to 'the way in which we do things', as well as to the underlying assumptions and beliefs that underpin this.

Therefore, in the broader interpretation, transformation could be reduced to three critical elements, namely policy and regulatory compliance; epistemological change, at the centre of which is the curriculum; and institutional culture and the need for social inclusion in particular. In practical terms, the key elements that constitute a broad institutional transformation agenda, and which could serve as a guideline for assessing the state of transformation, are well captured in the constitutive principles of the draft Institutional Charter developed by the UFS. The relevant principles are:

- An academic culture of *diversity in scholarship* by guaranteeing the necessary intellectual space for freedom of scholarly approaches and encouraging diversity and innovation in academic disciplines.
- An *academic culture of engagement* to address the problems of South Africa and Africa.
- A *sense of belonging* for all members of the university – black and white, male and female, of whatever language, cultural or economic background, as well as people with disabilities.
- *Sufficient diversity of symbols and artefacts* to reflect the diversity of histories and cultures unambiguously and in a balanced manner.
- *Substantive and sufficient* multilingualism in academic and support activities.
- *Substantive multiculturalism* and embracement of the diversity of cultures within the context of an open university community.
- *Non-dominance amongst diversity*, i.e. transforming the current dominant male or white or Afrikaans or white Afrikaans culture whilst ensuring that it is not replaced by a dominant female or black or English or black English culture, but rather by a new institutional culture premised on non-dominance amongst diversity with regard to language, culture, race, gender and intellectual and political orientation.
- *Non-marginalisation, respect for minorities and appreciation of human diversity* in personalities, individual preferences, human skills and workplace skills.
- *Sufficient diversity* in the composition of staff and student of different population groups in governance (including residences) to constitute the necessary institutional space for nurturing non-racialism, non-sexism, multiculturalism, multilingualism and non-dominance.
- *Substantive representation* of different population groups in governance, management, decision-making bodies, faculties and administration.
- *Sufficient diversity* of staff with regard to professional language skills to meet the operational needs of multilingual teaching in the main languages.
- Genuinely creating employment and developmental opportunities within the prescripts of law whilst avoiding unfair discrimination and/or employment practices, within the context of the Bill of Rights and relevant legislation.
- A positive and supportive environment and platform for dynamic student life which is based on an educational approach towards student activities which includes (but is not limited to) languages of instruction, choice of university residences, sports, arts and cultural activities, inclusive student governance, etc.
- A non-oppositional, trustful and respectful relationship between labour unions and management in the common interest of the institution and all its staff members and students.
- Functioning in a transparent, participatory, inclusive and non-bureaucratic manner in all the workings of the university. (UFS, 2004: 4-6)

2.2 Institutional Interpretations of Discrimination

Although not all institutions have detailed descriptions of what they mean by unfair discrimination, as with transformation, it seems as though all of them have definitions of unfair discrimination in their policy documents, which are in line with the Constitution, especially the Bill of Rights. The most comprehensive definition was provided by the Nelson Mandela Metropolitan University (NMMU), which defines unfair discrimination as:

> Any distinction, exclusion, restriction or preference based on race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, Human Immunodeficiency Virus (HIV) status and birth or any other reason which is unreasonable or unjustifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors. Harassment of an employee or student is a form of unfair discrimination. (NMMU Policy on Equity, 2005: 10)

Furthermore, in line with the Constitution, the submissions emphasise the fact that discriminating for the purpose of redressing past inequalities and injustices is not regarded as unfair discrimination. However, there is a significant caveat, which was raised by UCT, namely that "all universities discriminate in their admissions and employment practices on measures of students' aptitude for success and job applicants' qualifications, experience and potential" (UCT, 2008: 1). It is important to highlight this issue because, while it is not contrary to the objective of redressing past inequalities, it clearly indicates that there are acceptable limits and constraints to unfair discrimination.

Although unfair discrimination is comprehensively defined in line with the Constitution in many institutions, the large majority of the submissions limited their focus to three aspects of unfair discrimination, namely race, gender and disability. However, gender, especially in relation to sexual harassment and disability, tends to be muted and downplayed. This may well be in response to the Committee's Terms of Reference, which refer to all forms of discrimination but highlights race, gender and disability. This is not to suggest, however, that institutions are not vigilant with regard to other forms of discrimination. Actually, there are indeed discussions in some submissions, pertaining to unfair discrimination in relation to language, religion and HIV/AIDS status, but these are not accorded the same weight, and issues such as ethnicity and sexual orientation are barely raised.

2.3 Institutional Interpretations of Social Cohesion

With two exceptions, i.e. UCT and UKZN, there was no attempt by institutions to engage with the concept of social cohesion, either in terms of clarifying what they understood by the concept and/or whether it was a useful concept in assessing transformation in the higher education system. This either suggests that the concept is not contested and/or understood by all or, and this is the more likely scenario, that institutions do not think it useful in measuring the pace of transformation. They are, moreover, unwilling to acknowledge this, as questioning social cohesion as an imperative may be frowned upon by the powers that be. The latter scenario is definitely suggested by the concerns raised by both UCT and UKZN.

UCT indicates that it agrees with the concept of social cohesion if it is understood as 'unity in diversity' in the 'republican' sense, which accepts the role of criticism of "established orders" as central to the function of a university. However, it does not agree with the nationalist concept of social cohesion, which is based on the achievement of

'social and political consensus'. The implicit assumption conveyed by the latter, is the view that the inclusion of social cohesion in the Committee's Terms of Reference may signal an attempt on the part of the government to restrict the critically important role of higher education institutions in the name of social cohesion (UCT, 2008: 11). This is supported by UKZN, which argues that equating 'social cohesion' with transformation and the elimination of discrimination, could have the effect of silencing 'real and immediate grievances', and suggests that "to ignore divisive incidents and practices at any level of UKZN, would be irresponsible" (UKZN, 2008: 16-17).

However, although the majority of institutions did not directly address social cohesion, this was done indirectly and by implication in some of the submissions. In this indirect sense, there were two meanings of social cohesion that emerged from the submissions. The first is social cohesion as in belonging. Thus, for example, the UFS emphasised that it sought "[a] sense of belonging for all members of the University – black and white, male and female, of whatever language, cultural or economic background, as well as people with disabilities" (UFS, 2008: 5). The UP placed a similar emphasis on achieving racial integration and referred to the initiatives it had embarked upon, such as actively recruiting prospective students from historically black schools for the purpose of 'integrat[ing] in all respects' (UP, 2008: 9). At UJ, social cohesion was described as cultural integration around the institution's values (UJ, 2008: 2), which had not been fully embraced by all, in part because of their alienation from the new institutional culture and values as a result of their loyalty to ideas and practices resulting from their legacy.

The second is social cohesion as a practice. Thus, for example, the North West University (NWU) indicates that it seeks to promote unity via a value framework, focusing on symbols, compliance with the new statute, the integration of policies, academic governance, the institutional culture and the language policy, as well as by nurturing a new organisational culture (NWU, 2008: 5). This is interpreted as follows:

- In relation to his/her environment, each human being reflects both unity and diversity. "I am one of (in unity with) the human race; yet I am male or female, African or American or Asian, I speak a specific language, and have a specific personality – in these things lie my diversity."
- We therefore all live in 'different realities': being African (part of the continent), South African (part of the South African nation), Afrikaans or Setswana (being part of a language/ethnic group), male or female, etc. South Africa's Constitution … gives South Africans the right to be all of these things simultaneously, as long as our being any of these do not infringe on the rights of others. Our national motto reflects exactly this: 'Many people make one', or unity through diversity.
- Unity and diversity means in the first instance that no one should be forced to choose between any of these realities, but should be allowed to be all of these. (ibid.: 7)

At the University of South Africa (UNISA) the notion of practice was expressed through the idea of higher education committing itself to a process of reconciliation and transformation. In 2003, after a series of focus groups and workshops on institutional culture, it put together a *Charter on Reconciliation and Transformation* (UNISA, 2008: 2). The purpose of this Charter, the University explained, was to "produce and implement specific plans to bring about reconciliation and institutional culture change, among other things by improving relations and levels of trust between all staff members, Black and White, and ensuring effective communication" (ibid.).

Similar chords were struck in the discussions at UKZN in preparing to make their submission. 'Healing' was presented as one of the aims of the institution. The point was made, however, that 'healing' was not an event but had to be "an integral part of the way the institution perceives itself and acts as a social unit … It also has to allow

protest in such forms that are based on the knowledge that there will be a sympathetic ear … It must carry trust of all members ..." (UKZN, 2008: 17). UKZN suggested several kinds of activities for building social cohesion:

- Research, i.e. the type of research done.
- Teaching, i.e. the kind of graduates produced.
- Teaching environment, i.e., strengthening integration in the classroom.
- Student social action, i.e. linking student action with teaching and research.
- Management practices and institutional leadership, i.e. all allegations of racism and discrimination must be dealt with.
- Conversation, i.e. debate and discuss issues but define the 'rules' of debate.
- Recognising links to the global community.
- Creation and utilisation of social spaces – many recreation and other spaces are run down and unsafe.
- Diversity, i.e. bringing different programmes on diversity together and setting goals. (Ibid.: 17-18)

Similarly, RU sought to contextualise the challenge of building a new society by providing a deep sense of the challenges posed of building new social practices in the knowledge production arena. The University acknowledged that barriers, such as resources, were important to address in building this new society, but it placed the emphasis on what it described as the 'deeper structural' challenges that higher education institutions (HEIs) faced. In this regard, it emphasised five points:

- The first relates to the particular history of Rhodes as an institution which takes prides in being a place of 'excellence'.
- The second point relates to the point which is made in critical race theory about the invisibility of 'whiteness' in discussions about race.
- The third point has to do with the problem of individualised understandings of prejudice and intolerance rather than seeing these as systemic, institutionalised and structural effects.
- Fourthly, the lack of a clear distinction between equality and 'sameness' is highlighted as underlying some of the conceptual muddles that have beset policy debates at Rhodes in recent times.
- Finally an element of the institutional culture that is sometimes referred to as the culture of 'collegiality' is explored as a barrier to effective mechanisms for monitoring, accountability and sanction (RU, 2008: 56).

2.4 Overall Assessment of Progress

It is clear from the preceding discussion that the institutional understanding and interpretation of transformation, discrimination and social cohesion is broadly consistent with the White Paper's vision and framework, as outlined in Chapter 1. In addition, an examination of the policy documents submitted by institutions, including the checklist questionnaire, which was completed by just under half the institutions, indicates that, although inconsistent and, in some cases displaying gaps, by and large there is a comprehensive menu of policies in place dealing with transformation-related issues across higher education institutions. This is especially so with regard to employment equity policies, which are to be found in all institutions. As for policy gaps, it seems that racial and gender

harassment policies may not always be in place and are perhaps not receiving sufficient attention.

Therefore, in legal and regulatory terms, the higher education system is in a good state. There is no doubt that significant progress has been made in effecting transformation, when narrowly defined in terms of compliance. However, compliance does not necessarily signify progress in substantive terms. In fact, more often than not, institutional responsiveness to compliance measures remains little more than a paper exercise, with policies and plans submitted and then regularly filed away. As the Anti-Racist Network has observed in relation to employment equity:

> There is a perspective that Employment Equity planning at most institutions has become a compliance exercise with no focused discussions, leadership and direction on confronting the manner in which employment equity, particularly with regard to black South Africans is compromised by the traditional hierarchy of higher education institutions. Based on current practices at institutional level, particularly in the top five research universities, South Africa has a long way to go before it sees real growth in the number of black South African academics and researchers. High-level skills and knowledge production as it currently stands have only marginally begun to include sectors of the South African population who were dispossessed under apartheid. (Anti-Racist Network, 2008: 3)

Indeed, there seems to be a general consensus that the compliance approach with its focus on numerical targets is insufficient and that transformation is about more than just numbers. As a senior black manager at the UFS argued in relation to the university's new 70:30 mixed residence policy:

> Has the policy led to change in attitudes and behaviour? The policy has not been successful in meeting the 70:30 ratio. But even if this was achieved, it would not be a measure of the success of transformation. The real measure of the success of transformation is the deeper attitudinal and behavioural change, which would create a new institutional culture. The numbers game is not enough. (UFS meeting with management)

Similarly, the Vice Chancellor of the NMMU argued that:

> The numbers only lens is self-limiting. Demographic transformation is a necessary but not sufficient condition for transformation. The other elements are institutional culture – the need for a qualitatively different environment and the need to ensure social access, i.e. to make the university a welcoming place for all; and epistemological transformation – the need to change the curriculum and pedagogy and to question knowledge production – 'knowledge for whom' and what is relevant. (NMMU meeting with Council)

And as an academic at UJ pointed out, unless transformation focuses on 'values, norms, attitudes, beliefs and assumptions', racism will not be stamped out, as it is in the latter that racism is found (UJ meeting with staff).

Significantly, and notwithstanding its 'self-limiting' nature, the evidence of progress, based on numbers, is mixed in itself. Although the demographic composition of the student body has changed significantly, with black students (i.e. African, Indian and Coloured) constituting the large majority of headcount enrolments, there continue to be significant inequalities with regard to the participation rate and the throughput and success rates, as well as with

regard to access to postgraduate programmes, as discussed in Chapter 4. And the progress in student equity, limited as it may be, has not been matched by progress in staff equity, which is discussed in Chapter 3.

There has also been significant, if limited change, in addressing transformation in the broader sense of institutional culture and epistemological change. This includes changes to the curriculum in a variety of programmes in a number of institutions, which focus on curriculum relevance, diversity, community engagement and programmes that promote debate on issues of equity, diversity and social justice, as discussed in Chapter 6.

The progress, limited as it is, and the major policy innovations that are taking shape in several institutions, must not be gainsaid. It is important to acknowledge the significant strides that a number of institutions are making with regard to the challenge of transformation. The challenge is formidable. It begins with the recognition that the university is one of modern society's most durable institutions. It has developed universally recognised measures of good practice that a good institution is expected to exemplify. These regulate and condition *how* the university comports itself.

But there clearly is a problem. Much of this problem emanates from the too-close association of the university with the project of westernisation – and the ever-present danger of articulating this in narrow Eurocentric terms as, to put it bluntly, a 'white' project – and a patent difficulty faced by the university to confront the challenge of opening itself up to different bodies and traditions of knowledge and knowledge-making in new and exploratory ways. It is in this context that the intention expressed by many institutions, to reflect upon themselves and what they stand for critically, and to attempt an understanding of their place and role in this process, is important. They indicate a seriousness on the part of institutions, or at least their leaders, and a commitment to understand and engage with the challenge of locating their universities historically and developing new identities for them and, in the process, revitalising the whole endeavour of higher education.

Important as these initiatives are, the legacy that the country confronts, as the Anti-Racist Network loudly states, is huge. While the strides that institutions have made need to be acknowledged, the question of how well these policies address, and have managed to change the every-day experiences of people who teach and learn at them, must receive attention. It would be naïve to think that people's real-life experiences will change because policy has changed. In this regard, it seems that little progress has been made.

Indeed, with regard to discrimination, it was striking that, across institutions, black staff and students, including some members of Council, argued that racism was rife. However, it was pointed out that the racism experienced was indirect and subliminal, i.e., direct manifestations of racism were by and large a thing of the past:

> Racism has become subtle. The victims can smell it a mile away. The problem is how to articulate it so that the pain can be expressed. (UJ meeting with Council)

> Racism is ubiquitous, (but) it can't be seen and then you feel you must be 'mad'. (NMMU meeting with staff)

> You feel it but can't pinpoint it. Talking to (white) colleagues and you feel a wall coming up. It exists, but how can we deal with it? (VUT meeting with staff)

And as a young black lecturer at an Afrikaans-medium institution, who has been at the receiving end of subtle racism, suggests:

> I am not certain if my experiences can be classified as discrimination or [whether] they are just a figment of my imagination. I cannot prove most of the things I am going to say but nevertheless to me they feel like I am or was discriminated against. I am a young law lecturer in my university. I suppose I am meant to know what discrimination is and when experienced, I am meant to know how to deal with it. However, in all honesty in many situations, I do not know how to deal with it or I even struggle to identify it. (Anonymous 2008: 2)

The difficulties of articulation or 'naming' racism form part of a broader development in which racism is perceived as an individual phenomenon that functions 'only at the level of the mind of the individual' (Anti-Racist Network, 2008: 5). In short, it denies that racism is deeply rooted in the social structure of society and its institutions, including universities. As the RU submission argues:

> One of the barriers to transforming Rhodes has been a lack of a widespread acceptance that prejudice operates at the institutional rather than merely the individual level. To focus on the latter is to suggest that where problems arise these are the result of the inevitable existence of a few bad apples and that the existence of these does not puncture the prevailing orthodoxy of an institution that is basically a tolerant, equitable and a just environment for all. The idea that racism does not necessarily thrive only because of the individual intentionality of social actors but also, and perhaps even much more significantly, as a result of social and cultural processes, is not necessarily widely shared. This means that there has not been a thoroughgoing willingness to interrogate behavioural norms, implicit routines and everyday practices. In short, the way in which the underlying culture of the organisation informs behavioural expectations. (RU, 2008: 61)

The individualisation of racism, both at the level of the victim and that of the perpetrator, impacts on the ability of the victims, the black staff members in this instance, to stand together and use the power of the group to stamp out the scourge of racism. The reason for this, as a black dean at the University of the Witwatersrand (WITS) argued, related to the liberal ideology that underpinned the approach of historically English-medium institutions. With its emphasis on the individual, this ideology regularly resulted in black staff members also presenting themselves as individuals who had been appointed on merit. They did this to avoid being tainted with the affirmative action brush (Wits meeting with management). The main effect of this, it was suggested, was to demobilise black staff as a group. The individualistic ethos of the institution militates against them standing together to present their grievances.

The Committee heard, moreover, from black members of staff that they were consistently stigmatised through and in the language used by white staff. Thus black applicants were regularly referred to as equity applicants or equity staff, implying that equity appointments were not made on merit. A recently appointed dean at NMMU – a black woman – reported the response of her white colleagues to her appointment:

> Pity you are now [an] equity [appointment} because we did not see you as [an] equity [appointment] before. (NMMU meeting with management)

This experience of black staff members is replicated amongst black students. There is a perception that black students do not perform as well as their white counterparts because of the perceived prevalence of racism amongst the white lecturing staff. This seems to be a particular problem in specific disciplines such as accounting where students report that they are continually and openly told that they would fail, 'because blacks can't do accounting'. A black non-South African student at Wits observed:

> There is an underlying tone of racism amongst academics. I am seen as part of the white students because I speak 'proper' English, that is, I sound like them. (Wits meeting with students)

In addition, students at the UJ suggested that academic rules with regard to the late submission of assignments and projects, as well as de-registration, were differentially applied in favour of white students. The perception of students regarding racism in teaching and the underlying problems are perceptively captured in the Anti-Racist Network submission:

> The encounter here is about the meeting of the 'Other' mind/s and the respect and recognition necessary for these educational transactions. The first port of call has to be with the training of academics for this new learning environment. For example, as noted by one of the delegates:
>
> The issue here is more than just about curriculum, but also teaching style. A white professor asked me the other day, how I teach black children, because that is not his experience. What message does that give to the students that are being taught at this University?
>
> From the above, we see that the value underpinning educational exchange is that black students are *'different'*, which then finds its way into the judgement of competencies, more specifically in terms of assessment processes and criteria. This may partly explain the motivation on the part of black students (at certain institutions) to opt for a process of anonymous marking in order to disguise their names on assignment papers. This call for anonymous marking signals perceptions of discrimination on the part of students. The perception is that the identification of an African name immediately conjures up a 'lower standard'. This is but one example among several that are brought to bear on the complexity of working with a diverse student body. (Anti-Racist Network, 2008: 8)

The fact that there is covert racism is accepted by most institutions. In response to a suggestion by a senior manager, that there were "no claims of subtle racism brought to senior management, although reported in the media and based on individual pathologies", the Vice-Chancellor of Wits indicated that 'Wits was not denialist and that problems do exist' and, more pertinently, that "blacks in senior management may have different experiences to other members of staff" (Wits meeting with management).

However, the fact that it is covert and that there are few formal complaints makes it difficult, as the UKZN submission states, to measure and report on the extent of racism and discrimination (UKZN, 2008: 2). And, interestingly, despite the fact that mechanisms exist in many institutions to report acts of discrimination, both overt and covert, such as an Ombudsman at NMMU, very few actual cases have been formally reported across the country as a whole. This may well be the result of the fact, as the UKZN submission indicates, that not all reports are followed up and investigated. There may be a variety of reasons for this, such as "fear of the perpetrators, a lack of trust in the processes of investigation or a lack of belief that such security structures are not biased" (ibid.:

14). It is also no doubt linked to the issue discussed above, of the difficulty of 'naming' and defining racism. And the 'naming' is important, both because of the need to enable the victims of racism to have their voices heard, and the need to ensure that racism is not used to raise grievances that have nothing to do with race.

The challenge of framing policies appropriately, so that they are fair to all the parties involved in a matter, is clearly a major one. This is important because, as the Vice-Chancellor of NMMU argued, "[unless we can] define and recognise racism, there is a risk of trivialising it" (NMMU meeting with Council). The complexities involved in 'defining' racism were captured by a black student at UP who suggested that:

> What is racism to a black student may not be racism to a white student or even to another black student. (UP meeting with students)

This raises the issue of the 'burden of proof', i.e. 'who is the accused and who stands as the accuser.' The different approaches to this question are captured in the Report of the Wits Colloquium on Racism in Higher Education:

> On the one hand, there seemed to be a clearly stated view that the 'accused is the historically white social group' and that the 'burden of proof therefore rests with this group'…The challenge here is whether a conversation should assume the form of one that is punitive and legalistic in nature … But there is another side to this legalistic route. Given the difficulties around 'what constitutes evidence', it (the perceived racist act) becomes 'difficult to prove yet you know that it is there.' The 'evidence' dilemma is manifest in higher education institutions especially, where there is perceived 'evidence' of racism, but these are then disproved through legal cases. In certain instances, 'the end result is that the recipient of a racist remark is then forced into an apology to those who had initially perpetrated it'. (Wits Colloquium 2008: 12)

However, as a participant in the Colloquium argued, '(imposing the) burden of proof' on the accused is contrary to justice. The danger of the latter is illustrated by an alleged racist incident at the Vaal University of Technology (VUT), which was raised by a black member of staff with regard to the issue of the 'burden of proof':

> A white lecturer objected to a black student arriving late for a lecture. This was seen as racist by the student but after lengthy discussion and investigation it was shown that it was not racist. But it must be thoroughly investigated. (VUT meeting with staff)

A similar incident with the same outcome was also reported at NMMU. And at UJ a black first-year residence student was told by a white student, as part of the residence's initiation ceremony, to sit in the shower. This was reported in the media as a racist incident. However, an investigation into the incident by the University found that the black student did not regard it as such. As the report states, a "case of racism could not be established, but [the fact that there were] two races black (victim) and white (perpetrator) [involved] may have prompted such claims …" (UJ, 2008a: 77). This does not justify the humiliation he went through, but it does suggest that the incident involved a human rights rather than a racism issue.

In this regard, it is worth highlighting the approach taken by UCT in its policies on racial and sexual harassment, which give detailed attention to the question of the rights of the alleged victim and the alleged perpetrator (UCT 2008: 4). In respect of both racial and sexual harassment, a crucial issue is the credibility of a complaint. Whether a complainant is heard appropriately and given protection in governance structures that almost by default defer to

those in authority, is an important issue, as is the danger of harm being done to alleged perpetrators by accusations that are found to be unjustified. How policies are worded is therefore not an insignificant matter.

In this context, the issue is not so much that the legal route is inappropriate in principle, but rather that its focus on the individual detracts from the underlying basis of individual action on the part of the perpetrator, i.e. the racism embedded in the institutional culture. And while it is necessary to focus on the individual and to undertake a 'deep investigation' to unearth the facts, the point is that, unless attention is paid to changing the institutional culture, racist incidents and practices will continue unabated.

As indicated in Section 2.2. above, discrimination on grounds of gender and disability were raised in muted tones, if at all in the submissions, as well as during the Committee's visits to institutions. As the Vice-Chancellor of the Walter Sisulu University for Science and Technology (WSU) acknowledged, "gender and disability remain concerns and need to be prioritised in employment equity plans" (WSU meeting with management). However, as far as gender is concerned, in the Committee's view, the impact of sexism is as pernicious as that of racism. And the fact that it was not raised as forcefully as were issues of racism does not mean that it does not exist, as is indicated by the following responses:

> Structural sexism also exists. If you are black and a woman it is doubly painful ... it is equally marginalising and stifling. (NMMU meeting with staff)
> In his culture women cannot call a meeting, chair a meeting or have anything to do with power. (VUT staff member quoting SRC President at Institutional Forum meeting; VUT meeting with staff)
> Patriarchy is rife and women lack confidence and don't speak up. (Fort Hare meeting with management)

In this regard, the Committee observed in its engagement with students that, while there were female representatives on SRCs, they tended to be in what could be regarded as the soft portfolios. In many instances during meetings with students they participated less vociferously in the discussions and left it to the men to do the talking.

It was also suggested by students at the University of Limpopo (UL) that sexual harassment and the victimisation of students by lecturers in the form of sexual favours was prevalent. In the words of the students: "The closer you get, the more marks you get" (UL meeting with students).

The role of sexism and sexual harassment was most directly highlighted in the RU submission. This is not surprising, as it was the only institution that appeared to have an active women's staff organisation, namely, the Women's Academic Support Association (WASA), which is recognised by the University and has been invited to sit on institutional committees. The silent and salient feature of rape and violence against women, as a result of institutional policies, is captured in the RU submission:

> ... as an initial all-male institution, a culture developed over time at Rhodes that undervalues women. Evidence of this can be gleaned from official responses to complaints of gender inequality, sexism and sexual harassment which have historically been characterised by resistance and denial of responsibility. Until very recently incidences of rape at Rhodes were not publicly known about, records were not kept and there was no active attempt to encourage reporting on the part of survivors. (RU 2008: 45)

The Committee is in no doubt that given the endemic rape and sexual harassment in South African society that it is equally prevalent in other higher education institutions. It is therefore cause for concern that sexism and sexual harassment have not featured significantly in the institutional submissions. The problems experienced due to this lack of attention are confirmed by the report on discrimination prepared by the Council on Higher Education (CHE), based on the institutional audit reports of its Higher Education Quality Committee (HEQC), as well as on other research:

> In the area of sexism and homophobia there are no higher education institutions among those audited that can claim to have completely solved these issues. Female staff and students have indicated in interviews, both during the audits and in the context of the research commissioned by the CHE, that patriarchal behaviour at their institutions is common and often goes unrecognised by male colleagues and, usually, institutions' management. While sexual harassment among staff is less well known, there are several cases of sexual harassment of female students, and some incidents of rape and violence have been reported at institutions. (CHE, 2008: 16)

As an aside, it may well be the case that the absence of a more forceful 'voice' on sexism in institutions may be partially explained by the fact that the Committee's Terms of Reference focused on racism and racial discrimination and that the Committee did not meet separately with women as a group.

In addition, other forms of discrimination highlighted included class, ethnicity disability and language. Discrimination linked to class background was raised by black students across institutions. It seems clear that the lack of financial wherewithal impacts on the ability of poor students to pursue higher education. The impact is both in terms of access and in terms of their performance once accepted at an institution. The CHE reports that it has "found evidence of hungry students unable to perform in class, particularly, but not exclusively, at historically disadvantaged institutions" (ibid.: 9).

As far as ethnicity is concerned, although underplayed, it is clear that it is a problem, especially in the historically black institutions, as is illustrated by the following comments:

> There is discrimination on the basis of ethnicity. Applicants for the post of registrar were discriminated against on the basis of ethnicity. (UL meeting with unions)

> Victimisation can also be along tribal lines where, if you do not use the language of the official who is supposed to help you, you will not get help. (UL meeting with students)

> The institution is still considered to be for Venda people only. (UV meeting with unions)
> Ethnic divisions exist. The road to the hostel where only students from Venda and Limpopo live is known as the 'N1'. (VUT meeting with staff)

There is also some evidence to suggest that students stick together in ethnic groups and look down upon each other:

> Well as I said there is this class issue around campus. I will especially talk about the Drama Department. The people who grew up around Gauteng they would be friends and people who grew up in Limpopo would be friends, Eastern Cape the same. It is like you kind of speak to your

> own, so there is this class distinction even in interaction. You feel you can't be friends with these people because you think may be they look down on you. (CHE, 2006: p.21 Humanities student 14.doc - 21:4 [85:85])

And although it seems to be contained, the potential of xenophobia rearing its ugly head should not be under-estimated. This is especially the case with non-South African black students enjoying what seem to be special arrangements made for, and privileges granted to in residences at particular institutions – a matter which is discussed in Chapter 5. As a senior member of management at the University of Fort Hare (UFH) indicated in relation to students from Zimbabwe:

> Zimbabwean students don't comply with institutional rules and regulations. For example, they arrive a month later for registration and rooms are kept for them. 'Guests' must change their attitudes and must not see themselves as 'better'. (UFH meeting with Council)

> English is the language of instruction but administrative staff use local languages for communication purposes, which foreign students don't speak and they are therefore treated differently. (Wits meeting with students)

> Most local lecturers teach in Tshivenda and expect everybody to understand. In group discussions fellow-students use Venda, sometimes to make sure that one is excluded. Staff members at the cafeteria and tuck shop will not use any language except Venda. They will go to an extent of suggesting that a foreign student learn and speak Venda. (UV, 2008)

Similar views were expressed in relation to non-South African black members of staff:

> Xenophobic practices were highlighted by the appointment of a foreign national as Vice-Chancellor. Executive members are not supporting him. Some people in the university community wanted the Vice-Chancellor to be a Venda South African. (UV meeting with unions)

> Black foreign nationals are used to oppress local blacks. (UZ meeting with unions)

> No clear policies from Home Affairs with regard to non-South Africans and what constitutes scarce skills. This therefore results in the exclusion of black South Africans. There is tension between South Africans and non-South Africans. (WSU meeting with unions)

> A flood of foreign nationals was appointed when senior appointments were made and foreign nationals are preferred for promotions. (UFH meeting with unions)

The views of the unions on xenophobia tended not to be repeated by management. With the exception of the UFH, it appeared as though most other senior leaders were in agreement with the views of management at the WSU where a senior member of management who is not South African stated:

> I have not experienced any form of discrimination. Xenophobia is not an issue. There are a large number of staff members from other countries. I feel completely at home. Subtle forms of xenophobia may exist but it is not a crisis and cause for concern. We were not affected by the

> recent xenophobic attacks. (WSU meeting with management)

These differences are suggestive of differences in material interests – the unions are clearly concerned about jobs and job security for their members, while management is clearly concerned about ensuring that the institution is able to deliver on its teaching and research programme, which requires that the necessary staff complement is in place. These differences are not necessarily mutually exclusive. However, it seems that the unions' concerns are, to a large extent, based on the fact that many of the non-South African black staff members are employed on contract and, given their vulnerability, are not willing to join the union or become actively involved in institutional matters, in particular, with regard to transformation. And in this context, the foreign nationals are often viewed as being used by management to divide the staff.

Whatever the differences between unions and management might be, it is, however, heartening that institutions responded proactively by holding demonstrations and releasing public statements against xenophobia when the attacks against people thought to be 'foreign' first began in 2008.

As far as disability is concerned, there seems to be a general recognition that there has been limited progress made in addressing the needs of the disabled, both in terms of the physical infrastructure, as well as educational support structures. The lack of access for the disabled to higher education is indicated by the fact that, in 2007, there were 4 325 disabled students in higher education, as is indicated in Table 13, representing 0.6% of the total headcount enrolments for higher education. And, even if the 23 567 students, whose disability status is not clear are added, the disabled total is a mere 3.7% of the total. The limited access of the disabled to higher education also impacts on educational opportunities at other levels of the education system, as the Deaf Federation of South Africa points (DFSA) out in its submission:

> Due to further opportunities in HEIs being inaccessible, schools may not feel the need to push their learners to achieve entry into such institutions. As a result, some schools for Deaf (capitals in original) learners are closing down their FET phase and are trying to encourage their Deaf learners to do skills training. Skills training cannot be applied across the board to all Deaf learners – this does not encourage equity, equal opportunities and access to a wide range of choices that many hearing learners experience. (DFSA, 2008:2)

The role of language and linguistic discrimination is discussed in detail in Chapter 6.
The widespread nature of discrimination within institutions impacts adversely on social cohesion. It seems clear that social cohesion, in terms of belonging, remains a key challenge. As the Vice-Chancellor of Wits University suggested:

> Black students can't claim Wits as their own, because their issues remain unresolved. (Wits meeting with management)

And the same could be said of black staff and students across the higher education landscape. They cannot claim institutions as their own because they feel alienated and marginalised. This is due in large part to the fact that whatever progress might have been made, there is still a perception that the institutional culture of the historically white institutions remains unchanged. As the RU submission argues:

> South African society is scattered with powerful institutions whose history and residual character

> is colonial and 'white' in very deeply embedded ways. The historically white universities are among these … black South Africans entering these institutional cultures – human, architectural, social, pedagogic – frequently find he experience painful, dislocating, unsettling, angering, confusing and difficult. (RU, 2008: 13)

This is acknowledged by Wits, which indicates that it "remains a strongly white and English (in language and academic culture) institution" (Wits 2008: 9) and in a different way by the University of Stellenbosch (US), which states that the institutional culture is 'uncomfortable with diversity and does not promote it' (SU 2008). According to the National Education Health and Allied Workers' Union (NEHAWU) branch at the UFS, this largely unchanged culture is reflected in the following:

- Language – it mainly uses Afrikaans as the language of teaching and communication.
- Symbols and sport are all Afrikaner-based.
- Choir – it is "lily white".
- All festivals and music are based upon Afrikaner/European culture. (UFS meeting with unions)

And while there is some progress in creating inclusive institutional structures by renaming buildings, introducing a diversity of cultural offerings, changing graduation ceremonies, etc., much remains to be done, especially with regard to the deeper issue of belonging, as represented by epistemological transformation.

There is a further important sense in which some members of the institutional community cannot claim ownership of the institution, i.e. the support staff whose functions have been outsourced and who, while working at the University, are not employees of the University. This was forcefully brought home by a staff member at Wits, who argued "collegiality only applies to insiders and excludes non-academic staff who are not considered insiders, hence outsourcing". And the impact of outsourcing is that the institution does not take responsibility for the outsourced workers:

> At the UFS the problems were caused by the treatment of cleaning workers, but at UCT there has been no discussion on the treatment of cleaning workers. At UCT many staff members are excluded from the 'we' discussed. The submission makes no mention of the treatment of outsourced workers – these people continue to be marginalised and invisible. They are important for the daily running of UCT, but are excluded. Relations were quite good and they were respected, but this changed when the work was outsourced. Wages decreased and benefits were removed. Complaints have been made to the University, but there are no changes. Some practices are illegal – such as no trade union representation. The institution should take responsibility, but says that it is not in the position to do so. (UCT meeting with staff and unions)

> At NMMU a white student left a cellphone in the toilet and it went missing. He searched the cleaner (who allowed it) and then the police were called. A further search took place and then the cleaner was taken for a polygraph test. This was reported to management, who indicated that it was done by the cleaning company, which does the cleaning on an outsourced basis – i.e. NMMU did not institute the proceedings. A support worker was fired by the company for wearing a customary necklace and when the union reported this to management the Vice-Chancellor asked the union to take action. (NMMU meeting with unions)

And similarly, there is a feeling amongst the administrative staff that they have secondary status within institutions:

> The administrative staff feel less valued than the academic staff. They need to earn the respect of the academic staff, whereas the academics are given status automatically. Academics think they can break the rules. There is discrimination against the support staff. For example, the crèche closes down during the holidays but the support staff still come to work during the holidays. There is also a pecking order – for example computers are hand-me-downs from the academic departments. (RU meeting with administrative/support staff)

2.5 Conclusion

It is clear from this overall assessment of the state of transformation in higher education that the experience of feeling discriminated against, in racial and gender terms in particular, is endemic within institutions. Indeed, it would not be an exaggeration to suggest that no institution can confidently indicate that the principles of non-racialism, such as those adopted by UFS to guide its transformation agenda and which were outlined above, have been achieved. This is despite the fact that all institutions have a range of policies in place to address issues of equity and transformation. The disjunction between institutional policies and the real-life experiences of staff and students, which is apparent, is discussed in more detail in the remainder of the report. The discussion which follows focuses on the real-life experiences of staff and students, in relation to specific areas of institutional activity, namely learning, teaching, curriculum, language, residence life and governance. However, before turning to these, it is necessary to understand why this disjunction exists in the first place, especially as there was consensus amongst both staff and students across institutions that the necessary policies were in place.

It seems that there are two reasons for the disjunction between policy and practice. The first, as suggested by the RU submission, states that it is the result of poor dissemination of information pertaining to policy and limited awareness of the policies in the first place, a lack of awareness of the responsibilities pertaining to implementation that flow from the policies, as well as a lack of institutional will:

> (The) problem is one of implementation and the gap that appears to exist between the letter of a policy and the institutional will, willingness and capability insofar as people and financial resources are concerned to make policy a vibrant and living reality in the life of the institution. (RU, 2008: 49-50)

The latter, in particular, is consistent with the claims made by stakeholders that the key obstacle to transformation is the lack of change in middle management.

Secondly, as the HEQC Audit found at UCT, there is a disjunction between the institutional culture and transformation policies. As the report states:

> … some of the main concerns about institutional culture at UCT were a disjunction between the continuing 'whiteness' of UCT and the African contextual realities and aspirations of the University, the ambivalence or frustration with 'assimilationist' or 'multicultural' models of integration, the lack of a consensual understanding of transformation, erratic implementation of transformation

initiatives despite numerous investigations and analyses, the dissatisfaction with the achievement of race and gender equity amongst staff and students, the absence of grievance procedures, and some dissatisfaction with the leadership provided on transformation. (HEQC, 2006: 56)

In fact, the lack of consensus or a common understanding was also raised by various stakeholders and constituencies at a number of institutions during the Committee's visits. This suggests that a key starting point for the development and implementation of an institutional transformation agenda must be the active involvement of all the institutional stakeholders and constituencies. The fact that the institutional submissions, as discussed above, were not subject to institutional consultation processes, is indicative of a problem. In this regard, there is much to be said for the development of institutional transformation charters as some institutions have done, as a way both to establish consensus on what constitutes transformation, as well as a mechanism with which to monitor progress. However, while much more can and should be done, the Committee would like to acknowledge that a number of institutions have initiated programmes, which promote debate about equity, diversity and social justice. Examples of these include:

- The Respect Project at UCT, which focuses on the UCT value of the "right of individual dignity, concern for others and appreciation of diversity" through a range of seminars and workshops on race, gender and related themes. (UCT, 2008: Attachment 17)
- The Khuluma (talk) and Mamela (listen) Project, which organises staff workshops to challenge racial stereotypes, and aims to address the silence and fears of white staff on the one hand, and to understand the pain and suffering of the black staff as a result of marginalisation on the other. (UCT, 2008: Attachment 18)
- The Rhodes University Truth Commission, "in which people who had experienced discrimination and victimisation at Rhodes had the opportunity to tell their stories, providing powerful insights into the continued existence of racism, sexism and homophobia in the life of the institution." (RU, 2008: 6)
- Awareness-raising weeks at RU, which are held throughout the year and focus on specific themes such as human rights, racism, xenophobia, rape, sexual harassment, gay pride and alcohol abuse. (ibid.: 36)
- The Cultural Integration Project at the UJ to promote the concept of 'living the UJ values'. (UJ, 2008: Appendix B)
- The establishment of a Student Leadership Academy at the UJ, which will provide "training to student leaders (be they members of the SRC or residence House Committee members of leaders of student organisations) on a range of leadership-related matters, which will include training on cultural diversity and social cohesion." (ibid.: 2)
- UWC seeks to increase students' understanding and promote debate with "a programme of open seminars, workshops and lectures dealing with issues such as racism, homophobia, harassment and xenophobia", as well as providing student leadership training courses. (UWC, 2008)
- Stellenbosch provides presentations and addresses for student leaders on multiculturalism and hosts a 'multicultural week', as well as 'interfaith dialogues' (SU, 2008: 34). They also plan to host 'courageous conversations' to promote discussion of complex issues on campus. (ibid.: 35)
- DUT has a weekly one-hour slot in the timetable for a 'university forum' which provides an opportunity for campus-wide discussion on issues such as "South African development, its

value system, racism, discrimination, etc." (DUT, 2008: 3)

- The UP has initiated, as part of the first-years' orientation, a Tuks Citizenship Programme, which addresses 'aspects such as diversity, campus values, HIV/Aids' and so on. (UP, 2008: 21)
- A number of institutions have adopted, or are in the process of developing, Transformation Charters, such as UNISA, UJ, DUT and the UFS.

Chapter 3

Staff and the Work Experience

3.1 Introduction

The progress in staff equity in higher education in South Africa has been limited. Except for administrative and support staff, where black people have made some progress, university personnel remain predominantly white. In terms of academic (i.e. teaching and research) staff, the headcount of black (i.e. African, Indian and Coloured) staff increased marginally from 36% in 2003 to 39% in 2007, as Table 9 in Appendix 2 indicates. The African headcount increased from 23% to 25%. Similarly, in relation to executive and managerial staff, the headcount for black staff members increased from 32% to 40%, while that of African staff members increased from 23% in 2003 to 24% in 2007, as Table 10 indicates. As far as gender is concerned, female staff constituted 43% of the academic staff and 35% of the executive and management staff. It should be noted with regard to female staff that, although they constitute just under 50% of all academic staff they are primarily located in the lower levels – junior lecturers and lecturers, with few women in the professoriate category.

All institutions acknowledge this slow and limited progress and, as indicated in Chapter 2, all have employment equity policies and plans in place, including a range of interventions to attract black and female staff members.

3.2 Structural Obstacles to Staff Equity

A range of reasons were provided in the submissions, many of a structural nature, to explain the inability of institutions to both hold and attract black and female staff members. These are discussed below.

The first relates to the inability of institutions to attract and retain black and female academic staff. The common view is that black staff are lured away by the significantly higher salaries offered in the public and private sectors. This claim was made regularly by a number of institutions. No actual evidence was provided. In fact, exit interviews at UP in 2007 indicated that the majority of staff members left because of what was perceived to be an unreasonable workload. Only one staff member left for salary reasons, while 10% to 15% left for cultural reasons. According to a member of UCT's management:

> Exit interviews and climate surveys indicate that many leave for promotion but are also not happy at UCT. There are feelings of not belonging, not being promoted according to potential, being invisible, facing complaints about lecturing ability and generally about the institutional culture. (UCT meeting with management)

Adding weight to this, the Dean of Commerce at UCT suggested that there were staff members in his faculty who left for jobs with lower salaries because of their dissatisfaction with the institutional environment (UCT meeting with staff and unions). More significantly, black staff members found the idea offensive that "blacks don't pursue academic careers because they are chasing salaries, while for whites it is a noble career". This was challenged by the Pan-Africanist Student Movement of Azania (PASMA) in its submission:

> The argument makes a few assumptions that beg examination. It is disingenuous to argue that black, female and disabled staff are tempted by such factors to the exclusion of the old white boys club that somehow remains content with what institutions of higher learning offer in the way of remuneration.' (PASMA, 2008:12)

Making the point about institutional environments, it is important to recognise the social context in which many African academics find themselves. This does add to their financial pressures and burdens and thus the attraction of better remuneration packages, as the Black African Academic Forum (BAAF) at the UKZN argues, is not an unreasonable one:

> This tendency reflects primarily the more difficult familial demands and contexts of black Africans who must find good paying employment to reduce the typical burdens associated with the repayment of their university loans as well as providing badly needed financial support to their extended families – while also trying to address the needs of their nuclear families. (BAAF, 2005: 2.2.4)

The second major reason provided for the inability of institutions to retain black and female staff members related to the lack of funds to establish new and permanent posts, for black and female postgraduates in particular. A few institutions did have special programmes, such as the 'Growing our own Timber' (GooT) programmes, which sought to help staff members complete their doctoral studies. These, however, were not in place across the sector. Institutions emphasised, moreover, that there was a need for state funding for this purpose. A Wits academic argued that this kind of funding was of critical importance, as it would enable new academics to learn on-the-job by being 'nurtured" and appropriately socialised into academia, instead of having to 'start running from day one (Wits meeting with staff). In this regard, Wits suggests that the three-year associate lecturer contracts offered to black doctoral students on GooT type programmes are inadequate, as "the completion of a PhD, combined with the teaching duties expected of participants, was seldom possible in the three years allotted" (Wits, 2008: 19).

However, irrespective of state support, the leverage of such funds should be linked to posts and to the allocation of resources in the institutional planning process. This is all the more important because staff development projects, such as the GooT programmes, are at the centre of institutional staff equity plans. This raises questions about the commitment of institutions to transformation beyond compliance measures, some black staff members argued. A black delegate at a Colloquium on Racism in Higher Education, held at Wits in June 2008, suggested, for example, that at least one reason for growing timber is to 'cut it down!' This is captured in the experience of the black staff member at an Afrikaans-medium institution, quoted in Chapter 2, who states:

> Firstly, the faculty is not keen to develop and mentor non-white academics. It constantly hammers on about one article per year per lecturer. As a white academic you are immediately taken under the wing of a seasoned professor to co-publish with him/her. However, as a non-white lecturer, they refuse to groom and develop you in the sense that you are left to 'fend' for yourself. You are left to your own devices as novice researcher, with no one to assist or mentor you … There is no job satisfaction. I have been forced to teach subjects which (I have no) prior experience or expert knowledge in. I feel as though I am just getting pushed around to teach all the irrelevant courses that the other white staff members don't want to teach anymore. The courses I have to teach keep changing from year to year, without any prior notice or discussion … I also battle terribly with the

> white support staff in the faculty. Secretaries who are not performing their jobs properly, to the detriment of students, are simply protected by the heads of department who insist that the fault lies with me. Marks which are getting fed incorrectly into the computer by secretaries (are) now all of a sudden my fault! Their incompetencies are overlooked, covered up and swept under the rug … Ultimately it is a very difficult environment to work in, even more difficult to progress and develop with the attitude that as a non-white academic you are not going to flourish. I refuse to fight anymore, as they are just not going to change; their attitudes remain the same, their beliefs remain the same. I thought they would change for the better, however, I find it extremely difficult to move on within this oppressive environment. They are not happy if you flourish, therefore they refuse to support and mentor you to be the best that you can be. I know I can do better and achieve more, however, this faculty is not helping me achieve my goals. I feel as if I were just a number hired to fill in quotas. According to their mindset, as a number I should not progress or take any of the more important positions within their faculty. They still want to pass down their legacy to white males and females, as no visible transformation has taken place. (Anonymous, 2008: 1)

This is also confirmed by submissions received from black staff members at UFS, which indicate, in addition, that retired white staff members are retained on contracts and that unrealistic requirements are set for junior black staff, such as having significant research funds and supervising postgraduate students while the staff member is still completing a doctorate.

The BAAF makes a similar point, namely that the marginalisation of African academics in teaching programmes precludes them from developing specialist expertise in a particular discipline. This has consequences for the development of their research profile. In addition, as they point out, there are no clear and transparent guidelines for promotion, resulting in many black academics staying in the 'same position for years on end' (op. cit.: 2.2.1 & 2.2.5). This was supported by submissions from individual black academics at a number of institutions, who suggested that, "while black staff [members] are rarely promoted, often on the grounds of too few publications, the same does not apply to white staff [members] who remain in senior positions, despite the fact that they are not publication-active. This was perceived by black staff [members] as a form of 'sheltered employment.'"

Thirdly, there is the language policy in historically Afrikaans-medium institutions, which requires, as a minimum requirement for employment, that staff members are proficient in both English and Afrikaans. However, even if staff members meet the minimum requirement, they may not feel totally comfortable in Afrikaans, which tends to be the language of communication within the institution. The role of language is discussed in detail in Chapter 6. However, the impact on staff members and their capacity to participate in the affairs of the institution, and to meet performance goals in particular, is described by two staff members at different institutions:

> Language is a key issue. The use of Afrikaans means that blacks can't deliver because they don't or understand what is being said. And the response if you don't understand is that it is your problem, as 'this is our institution.' (UP meeting with staff)

> Meetings are held in Afrikaans and staff who don't speak the language or don't understand are simply ignored … Black staff members stopped going to meetings and functions. (Anonymous, UFS: 2008a)

And not only do black staff members have to deal with language discrimination pertaining to Afrikaans in their inter-personal relationships with colleagues and the administration and management more generally, but they are also at the receiving end of racism from white, Coloured and Indian students with regard to their use of English. As a Rhodes student stated:

> Black lecturers are not accorded the same respect as white lecturers because of their accent. White students stand up and tell lecturers to go and learn to speak English properly. In the case of a black law professor, white students provided running commentary about the lecture while the lecturer was speaking. (RU meeting with students)

This was confirmed by a black lecturer at Rhodes, as indicated below:

> I had difficulty in getting accepted by students. They would ask questions to check my knowledge rather than for clarification. (RU meeting with staff)

> As a black lecturer you are being judged not as an individual but as a representative of the black community and therefore you have to work even harder not to fail. You are being judged in the context of BEE, employment equity quotas, and so on. (RU meeting with staff)

The fact that they did not speak with the 'correct' accent, made black staff insecure and impacted on their confidence, especially as there was little sympathy or support from their white colleagues who, as a black academic at UNISA suggested, behaved like a trade union against transformation, and that they worked hard to keep black academics out in fields such as Accounting and Law. Raising complaints about student racism also leads to charges of 'over-sensitivity'. This was brought home by Wits psychology Professor Norman Duncan's inaugural lecture in his portrayal of three colleagues at the University. In each of these an aggrieved black member of staff would take a complaint of subtle to explicit forms of racial harassment on the part of white students to his or her line manager and would be told repeatedly that they were being 'over-sensitive'. This, he argued, induced high levels of stress amongst black members of staff (Raditlhalo 2007:13).

Fourthly, there are under-developed networks to identify new and established scholars from 'designated groups, both locally and internationally'. This is suggestive of the 'old boys' network' syndrome and confirms the perception of black staff members that employment equity falters because of resistance amongst middle managers. As a black staff member at VUT put it:

> They appoint people who know what to do because it makes it easy for the department, rather than appointing people who need assistance to develop their potential because this is more difficult. (VUT meeting with staff)

In this regard, the BAAF argues that job advertisements are prepared 'with individuals in mind' and appointments to short-term posts are 'used to align preferred candidates for future employment'. This, they argue, is in part related to the fact that the "selection process and final decision are left primarily in the hands of the Heads of School" and the selection panels themselves are primarily white (op. cit.: 2.1.2-2.1.4). The power of departments in the appointments process was raised by staff members in a number of institutions. As the UCT submission states:

> The devolution of responsibility for recruitment and staff appointments has made it difficult to

> diffuse good practice throughout the institution, although this is being mitigated by training for chairs of selection committees. Transformation Committees, while attracting dedicated and far-sighted members, are not always taken sufficiently seriously and may be isolated from the processes of staff recruitment and appointment. (UCT, 2008: 4)

In the fifth place, there is the absence of effective monitoring and accountability mechanisms. In general it seems that while heads of schools and departments are responsible for overseeing the appointment process, the processes are not closely monitored to ensure that they comply with the institution's employment equity policies and plans and, more importantly, the heads are not held accountable for the implementation of the employment equity policies and plans. This lack of sanction, as the US suggests, results in faculties ignoring the institution's employment equity policies and plans (US, 2008a).

In the sixth place, with regard to gender, the lack of mechanisms to deal with the particular circumstances of female academics. Examples are the recognition of the impact of child-rearing in interrupting academic careers, which, in turn, impacts on promotional prospects; the provision of child-care facilities; and the lack of sensitivity in considering the role of women in the family when arranging institutional activities, especially meeting times, etc. The lack of sensitivity and commitment pertaining to the employment of women was especially highlighted at Wits, where it was reported that management had decided to close down the child-care facilities because these were not self-sustaining (Wits meeting with staff and unions).

3.3 Institutional Culture and Staff Equity

The structural factors, which impact on employment equity, as discussed above, are important to identify, as they constitute the basis for developing strategies to eradicate discrimination and to ensure that employment equity becomes more than compliance management. However, while important, it seems clear that employment equity strategies are not likely to succeed unless and until the deep-seated resistance to it, which is embedded in the institutional culture, is challenged and the institutional culture transformed. The fact that the institutional culture does not accommodate diversity is the underlying reason for the lack of progress in employment equity. Therefore, as UCT states, the notion that employment equity is an opportunity for promoting diversity, which is an educational value and essential to the mission of the institution, is not universally accepted within the University (UCT, 2008: 2). Similarly, US states that the institutional environment is one where:

> … (suspicion) abounds, on the one hand that transformation will affect standards and on the other that an obsession with quality is little more than a thinly veiled form of resistance to meaningful transformation. (SU, 2008: 23)

And in relation to gender, Stellenbosch suggests that while there is 'formal equality' between genders, a 'male dominated culture persists at SU' (ibid.: 26).

The role of an institutional culture that remains white and the pervasive racism that it engenders, as discussed in Chapter 2, is the source of immense unhappiness and frustration amongst black staff across institutions. The Committee was struck by the almost ubiquitous sense of disenchantment, alienation and anger amongst them, and by the fact that they did not feel at home in the institution. The full extent of the pain and hurt and humiliation that black staff members have had to endure is indicated by the observation by black staff at Rhodes that:

> … (they) are treated as 'unknowns' if their status and name is not known. For example, if an individual is known to be an academic, then s/he will be treated with respect but if their status is not known, they are less likely to be given the same level of respect and courtesy. (RU, 2008: 8)

The experience of a black Dean at VUT is significant:

> I had an appointment to meet a member of staff. I went to his office and introduced myself to his secretary by my first name. The secretary, who was white, indicated that I did not have an appointment. I went back to my office and asked my secretary to contact the other secretary who started crying when she realised that I was the Dean and did indeed have an appointment. I am not sure if it was racism. (VUT meeting with staff)

And to survive takes strength and resilience, as the first black lecturer at the erstwhile PE Technikon states: "I had to be strong and fight back and not accept and be quiet" (NMMU meeting with staff).

Similarly, a Deputy Vice-Chancellor at Wits observed that when he first joined the University the rules were opaque. For example, he was not aware that he could apply for university research funds and to survive required 'tenacity' (Wits meeting with management).

The passion and depth of feeling amongst black staff members about the pervasiveness of racial discrimination and harassment was especially noted in the submissions received from individuals – a small but significant number of whom had detailed their alleged ill-treatment. What was significant about these dossiers, was the extent to which individuals had gone to document their grievances and the alleged inability of the institutions to which they belonged to deal with their complaints in a considered and just way. And indeed, in a few cases, the dossiers were submitted to the Committee in the hope that the Committee would investigate the complaint and find a solution to what can only be described as a sign of desperation on the part of individuals who had come up against brick walls in every which way they turned.

It was also clear that the passion with which black staff members spoke was based on the fact that they felt free to voice to their real-life experiences to the Committee, without fear of victimisation. Indeed, the Committee was struck by the number of times that black members of staff spoke about the 'culture of silence' that permeated institutions, because of the fear of victimisation.

> A formal structure was established last year, but the problem is that people cannot talk freely. They fear being victimised and punished. At a recent meeting, the point was raised that people were very vocal in their exit interviews, but don't speak up earlier. This indicates that they are unhappy with the management style and fear victimisation. They know people who have been victims. There is also the problem that, as you move upwards, there are only white people. The lower staff positions are racially mixed. (UCT meeting with staff and unions)

This claim was repeated at the UP, where a staff member commented that this fear even extended to exit interviews because of an anxiety that the institution would not give one a good reference. Similarly, some of the individual submissions were made anonymously and even when not, confidentiality was requested. As stated by staff members in one submission that reflected upon the "embeddedness of race discrimination and the resistance to knowledge

transformation" based on their experience at a historically white Afrikaans-medium institution:

> We make this submission on the understanding that confidentiality would be preserved and our identities not be made available to the University … or the public. In doing so we note our concern with respect to negative consequences in the form of possible victimisation. (Anonymous, 2008b)

The fear of victimisation and the culture of silence that it engenders is cause for concern, especially in higher education institutions where, as the White Paper states, the academic climate should be "characterised by free and open debate, critical questioning of prevailing orthodoxies and experimentation with new ideas" (White Paper: 1.24 [4]). It is all the more disturbing given the fact that, as indicated in Chapter 1, there seems to be little or no dialogue between institutional constituencies on issues of transformation. This precludes forward movement and addressing substantive issues with a view to finding lasting solutions. Constituencies talk past each other with little or no understanding of the views and feelings of one another. This is starkly illustrated in the diametrically opposed views of black and white staff members on the state of transformation.

The slow progress in transformation pertaining to employment equity in particular, and the pervasiveness of racism noted by black staff members were not shared by their white counterparts – at least not by all of them. There appeared to be a generalised sense amongst white members of staff that there had been significant improvement in addressing racism and equity in higher education institutions since 1994. This is indicated by the responses below:

> The University is an equal opportunity offender, that is, it does not provide a welcoming environment for all staff – white, black, male and female. (Wits meeting with staff).

> There is no hint of racism in the faculty. It is representative in race and gender terms and no groups have been formed along racial or gender lines. (UP meeting with unions)

> I don't pick up racist or negative vibes in my department. (VUT meeting with staff)

> Diversity is becoming a reality. (CUT meeting with staff)

This suggests that white staff are optimistic about the state of transformation, and there was a general feeling amongst them that racial tension had receded. They do not see or feel the difficulties and frustration referred to by their black colleagues. In a sense this is understandable, because there has been change in higher education post-1994. The fact that, for example, the historically Afrikaans-medium institutions have opened their doors to black students, which in some instances, such as at UFS and UP, have dramatically changed the racial demography of the institution, is experienced as nothing more than a revolution from the perspective of white staff members whose real-life experiences in institutional terms are of racial homogeneity. And coming to terms with this cannot be easy, especially in a context where the focus on equity and affirmative action creates fears and anxieties about their own future. This was expressed in no uncertain terms by a staff member at RU:

> What is the meaning of transformation? Equity legislation is all targeted at white men. The narrow agenda is anachronistic and white males will soon be extinct. Do students want the best lecturers or representative lecturers in terms of race and gender? Students will choose quality. Quality/

> excellence and equity are mutually inclusive. The focus must be on meritocracy. (RU meeting with staff)

However, equally so, there were white staff members who understood, empathised with, and validated, the experience and feelings of their black colleagues:

> Racism is prevalent on campus, as is male chauvinism. The perception is that this is an Afrikaner institution – for example, the graduation ceremony has not changed. It is assumed that it is a Christian institution. (UFS meeting with staff)

> The blind spots regarding race are illustrated in this discussion. The numbers discussion is easier than the more substantive and deep issues relating to institutional culture. Wits is seen as a fortress from the outside. The cultural capital that whites take for granted is not the experience of black academics. There are also hidden codes. For example, I am referred to as professor even by senior black academics, while white academics assume equality. (Wits meeting with staff)

> There is a smugness at Wits given its past role in the anti-apartheid struggle, which means that individually and institutionally the issue of transformation is not challenged or confronted. (Wits meeting with staff)

There is no doubt that there exists a 'them' and 'us' culture between black and white staff members, which was evident in the difficulty most participants had not to think along the lines of racial solidarity. And unless, and until there are open and honest debates and discussions about transformation and about discrimination in all its facets, the divides of the past will continue, however progressive the policies, to act as a brake on fulfilling the transformation agenda outlined in the White Paper.

3.4 Conclusion and Recommendations

The real-life experiences of staff members, as this chapter has indicated, suggest that racism and, although underplayed, gender discrimination, remain a problem in many institutions in South Africa. This has been confirmed by findings from the Institutional Culture Surveys that were undertaken by institutions such as UCT and Wits, as well as from the academic literature on transformation in South Africa (De la Rey, 1999; Jansen, 1998; Perumal, 2004; Potgieter, 2002; Soudien, 2008; Thaver, 2006). It is also true that many institutions, despite having impressive transformation policies, have struggled to build a sense of social cohesion in which all members of staff feel equally valued. At the same time, acknowledgement and recognition should given to the wide-ranging initiatives that many institutions have in place to address issues of staff equity, transformation and discrimination. These include:

- Recruitment and retention policies at the UP for black, female staff and disabled staff at UP through the provision of salary supplements, as well as "the creation of additional posts on the staff establishment for excellent South African black and disabled candidates for whom posts are not immediately available on the post structure." (UP, 2008: 46-47)
- A recruitment and retention fund established by the UJ to attract black and female staff through the provision of salary supplements. (UJ, 2008: Appendix H)

- The provision of attractive entry-level salary-linked scholarships by UJ – R100 000 per annum for two years for masters students and R150 000 per annum for three years for doctoral students. (UJ meeting with management
- The establishment of an Academic Equal Opportunity Fund for black academics and a Vice-Chancellor's Discretionary Equity Fund for black and female academics at Wits to promote staff equity by linking staff development projects to permanent posts. These programmes, according to Wits, have been "successful because of the insistence that appointees are seen as permanent staff from the outset and are guaranteed job security" (Wits, 2008: 18). However, although successful, the expansion of the programmes is constrained by funding. (ibid.: 19)
- The Emerging Researchers Programme, which assists academics in "developing and pursuing a research plan, and offers guidance on activities such as writing funding proposals, and writing and publishing research, and securing funding", and the New Academic Practitioners Programme, which is a one-year induction programme, pertaining to teaching and research for new staff. (Mohamed, 2007: 15)
- The Mellon Mentorship Programme, which supports black and female masters and doctoral students at a number of institutions.
- The National Research Foundation's Thuthuka Programme to support the development of black, female and disabled researchers, which is based on a partnership model in which the NRF matches one Rand for every two Rand contributed by the institution. At Wits there are 50 staff enrolled on the Thuthuka programme at a cost of about R2 million per annum to the university. (Wits, 2008: 20)
- The Glassbusters Programme for black and female academics and the Wonder Women programme for female academics at Wits, which are "aimed at empowering them to address institutional and personal barriers to promotion and advancement at the university." (Ibid.: 21)

In addition, as indicated in 2.5 above, a number of institutions have initiated programmes to promote debate and to sensitise staff to issues of equity, diversity and social justice.

The importance of staff equity could not be overemphasised. Although the numbers game, as argued in Chapter 2, is self-limiting and results in a compliance approach, it is equally clear that, unless there is a critical mass of black and female staff who bring to bear a diverse range of values, norms, attitudes and beliefs on the institutional culture, the transformation agenda in higher education will remain unfulfilled. In the light of this, the Committee makes the following recommendations for addressing the structural obstacles to staff equity:

(i) Institutional staff development programmes for black and female postgraduate students, such as the *Grow your own Timber Programme*, should be linked to the creation of posts, which would ensure that there is job security for the participants in such programmes upon completion of their doctoral studies. The posts and the allocation of resources for the posts should be clearly identified in the institutional planning process. This should be done, at least for the next ten years, to ensure that a critical mass of black and female staff members is absorbed into institutions.

(ii) The funding for staff development posts should be provided by a combination of institutional funds and earmarked funds, provided as part of the state subsidy to higher education institutions. The provision of earmarked funds should be based on the submission of institutional plans,

linked to career development and mentoring guidelines, which would enable the nurturing and socialisation of the individual into academia.

(iii) The funding for staff development posts should take into account the social context of students – i.e. it should at least be competitive with entry-level professional posts in the public service. A good example in this regard is the recently announced UJ scholarship programme, which provides R150 000 per annum for a period of three years, to doctoral students.

(iv) There should be clear, transparent and transformation-supporting guidelines developed for promotion, including teaching, research and public service performance indicators.

(v) There should be clear and transparent policies in place for the appointment of retired staff to supernumerary and contract posts. These should only be allowed if they are linked to staff development posts and/or if the ability of the institution to continue providing its core academic programmes would be compromised because it has not been able to recruit a suitable full-time staff member.

(vi) The vice-chancellor should be held accountable for the achievement of employment equity targets. This should be done as part of his or her performance management contract. Council should take direct responsibility for monitoring employment equity, through establishing an employment equity sub-committee, chaired by an external member of Council.

(vii) The composition of interview panels for staff appointments should reflect a balance with regard to, as well as be sensitive to the issues of race and gender. The panels should be demographically representative, which may require the use of external panel members.

Chapter 4:

Students and the Learning Experience

4.1 Introduction

In relation to student equity, which is a key goal identified in the White Paper, the higher education system has made significant progress. The student profile has progressively changed to reflect the demographic realities of South Africa. Therefore, between 2000 and 2007, black enrolments increased from 70% to 76%, while white enrolments decreased from 30% to 24% of headcount enrolments. And of the black students, African enrolments increased from 58% to 63%, Coloured students from 5% to 6% and Indian students remained steady at 7% of headcount enrolments. Similarly, on average, female student headcount enrolments increased from 52% to 56% – i.e. an annual increase of 5.5%. These changes are reflected in Table 1 in Appendix 2. However, the fact that black students constitute 76% of the headcount enrolments in higher education does not mean that equity has been achieved, as the Freedom Front Youth Plus (FFYP) suggested in their submission to the Committee (2008). A detailed analysis of enrolment trends, including participation, success and graduation rates, suggests that black students now constitute the majority of students in absolute terms in the sector. This, however, hides significant inequities which continue to characterise the higher education system:

- In terms of the participation rate (Table 2), i.e., the proportion of the relevant age cohort enrolled in higher education, the participation rate in 2006 was 12% for Africans, 13% for Coloureds, 42% for Indians and 59% for whites. Therefore, white and Indian students continue to benefit disproportionately relative to their African and Coloured counterparts.

- The participation rate in gender terms is more balanced, but tilted in favour of women. The participation rate for females was 18% in 2006 and for males it was 14%.

- In undergraduate programmes (Tables 3 & 4), African students accounted for 82% of enrolments in diploma programmes in 2007, and 52% in degree programmes, while white student enrolments were 9% and 31% respectively. This suggests that, given that degree programmes are the entry point into high-level and professional careers, while diploma programmes are the entry-point into middle and lower-level vocational careers, white students continue to benefit disproportionately relative to their African counterparts.

- In terms of postgraduate programmes (Tables 5 & 6), African students accounted for 46% of enrolments in master's programmes and 39% in doctoral programmes, with white enrolments accounting for 38% and 47% of the total respectively. This explains the continued dominance of whites in senior positions, as discussed in Chapter 3, given that the doctorate is the entry-point for a professoriate.

- In terms of success rates (Table 7), African students continue to under-perform in comparison to white students. Thus, in 2006, the success rate of African students was 65%, while that of white students, against a target of 80% set by the DoE, was 77%. The gap between the

African and white success rate is further confirmed by a cohort analysis of first-time entering undergraduates in 2000, which indicates that the average graduation rate for white students is double that of African students. This is shown in Table 8, which indicates that by 2004, some 65% of African students in this cohort had dropped out and only 24% graduated, while 41% of white students dropped out and 48% graduated.

- As far as gender is concerned, female students perform better than male students. The average female success rate in 2006 was 72%, while the male success rate was 67%. However, fewer female students graduated overall, i.e. 35% as against 42% of male students, based on the cohort analysis.

This brief analysis suggests that the progress made in equity of access has not translated into progress in equity of outcomes. The 'revolving door' syndrome of high drop-out and failure rates continues to be a feature of the higher education system in general, and for African students in particular. In short, African students continue to be discriminated against.

4.2 Structural Obstacles to Student Equity

The poor performance by black students in higher education is largely explained by a combination of two factors. Firstly, there is the poor quality of black schooling, including the fact that for the majority of black students, English and Afrikaans, the two main languages of instruction in higher education, constitute at best their second and at worst their third or fourth language. Secondly, there is the fact that the large majority of black students come from poor families who do not have the wherewithal to finance their studies.

In response to the challenges described above, since the 1980s, institutions have developed academic development and support programmes to bridge the gap between school and university. These take the form of foundation and extended curriculum programmes in which the basic three-to-four-year undergraduate degree programme is extended by a year, as well as other interventions, such as language and writing skills programmes. However, well-intentioned as these might be and, indeed effective in many instances, academic development and extended programmes came in for a great deal of criticism, as black students perceived them as dumping grounds:

> The extended studies programmes have negative connotations because only black students attend and it is not clear if they are helping, as the success rate of students who move into the academic mainstream is low, namely a 65% failure rate. Another instance of unfair discrimination is that black students, who have good matric marks, but are not from feeder schools, are placed on an extended programme. The SRC President is black but from a feeder school and he does not attend an extended programme, even though there are students in the programme who performed better than him in matric. White Afrikaans-speaking students are not placed on an extended programme either. (RU meeting with students)

> Black students are sent to foundation courses irrespective of their matric grades. No assessment is made. Policy that black students will always fail. (NMMU meeting with students)

> In Medical School there is a programme for students who are taken out of the academic mainstream. Back home we come from schools where we received support, but we come here and suddenly we are told we cannot be in the mainstream. Only black students get excluded from the mainstream. 'You fight to get into UCT, Fight to stay, and Fight to Leave.' (UCT meeting with students)

Similarly, a student at the Cape Peninsula University of Technology (CPUT) claimed that he was rejected when he first applied because he was told that the course was full, but that he was then offered a place on the extended programme (CPUT meeting with students).

However, although critical of the way in which these programmes were sometimes presented, students also recognised their role in contributing to the academic success of black students who were the products of a poor quality education system. Therefore, at Wits, the students were critical of the University's decision to discontinue the foundation programmes because of funding constraints. They argued instead that:

> Foundation programmes were not only meant for blacks but also for Indian and whites, but the majority of students were black. Students now going directly into the mainstream are not coping and failing. Abolishing foundation programmes denies access to students with potential, but who did not perform well in matric because of the context and conditions. Foundation programmes must be strengthened and upgraded because they have helped disadvantaged students to perform better. (Wits meeting with students)

The contradictory response of students to academic development and extended study programmes could be explained by feelings of inferiority and a lack of self-worth that are engendered by the language issue and the underpinning of traditional assumptions with regard to such programmes. In other words, the notion exists that the deficits and deficiencies in their schooling have to be 'fixed up' before they can successfully undertake academic study. As the Anti-Racist Network argues:

> Currently, much of the discourse around the lack of preparedness of black students rests on racial stereotyping. We raise here the conventional academic development discourse that tends to be couched within deficit models: here the language ranges from 'at risk' to 'non-traditional' students, among others. While the intention appears to be benign, the effect is to place enormous pressure on the newer entrants into the system. (Anti-Racist Network, 2008: 8)

It was this labelling that students objected to rather than the need for such programmes. The role of language, which students also recognised was a major factor in determining performance is discussed in detail in Chapter 6:

> Language is a major stumbling block, especially at undergraduate level. Basic language skills are of critical importance if students want to make an impact and not just pass. (Wits meeting with students)

And as far as financial challenges to students are concerned, the state has introduced a student loan and bursary scheme, the National Student Financial Aid Scheme (NSFAS), which provides financial support to poor but talented students to pursue their higher education ideals. However, despite the significant injection that the state makes annually via NSFAS – in the 2008/09 financial year it was just over R1.5 billion – this is not sufficient. Moreover, the recipients of NSFAS loans are often forced to drop out because the loan does not cover the full costs of

their studies, which is as a result of institutions spreading their NSFAS allocation to cover as many students as possible.

There can be no contestation with the CHE's view that, given "that poverty and race are still overwhelmingly connected in South Africa, [this] makes the plight of Black students all the worse" (CHE 2008: 9). However, what frustrates the students most of all, it would seem, is the perception that institutions are not willing to consider the social background and context from which poor black students hail and are therefore not sympathetic to their plight. As an example of the latter, the students at UP referred to the fact that when rural students arrive at the beginning of the year, there is no transport provided for them from the station to the campus (UP meeting with students). And at Wits students referred to the apparent view of the Wits Council that it was not willing to debate the 'sociology of poverty' with students (Wits meeting with students).

It seems clear that, as with staff equity, the academic development and support strategies introduced by institutions to assist black students to bridge the gap between school and university are not likely to succeed unless, and until the institutional culture in which they are embedded is changed and transformed.

4.3 Institutional Culture and the Learning Experience

The role of an institutional culture that remains white and the pervasive racism that it engenders is, as with the experiences by staff members, the source of immense unhappiness and frustration amongst black students across institutions. It was clear to the Committee that, while there are other forms of discrimination in institutions, including gender discrimination in particular, racism and racial discrimination constituted the central problem as far as black students were concerned. It is the latter above all else that defines their real-life experiences, as this chapter will illustrate.

The students' perception of academic development and support programmes as racist was clearly fuelled by their more general experience of racism in the lecture halls and seminar rooms. This ranged from suggestions by white lecturers that 'Accounting is not for blacks', to student views that:

- Examination papers in Accounting were made 'deliberately confusing in terms of language' to fail black students.
- In some departments/faculties there were 'policies that black students must not complete in time'.
- 'Cum-laude passes belong only to whites'.
- Academic rules and regulations were differentially applied with regard to black and white students. For example, assignments that were submitted late were only marked if these were submitted by white students; and white students were allowed to proceed to the next year, even though they had failed the prerequisite courses.
- Examinations and assignments are used to victimise black students.
- Medical students who studied in Cuba and are completing their final year in South Africa get lower marks because they are black.
- In the historically Afrikaans-medium institutions, which offer parallel-medium courses, the English classes are held in the evening.
- "Social relationships between white students and lecturers are convivial, but not with black students, and they are not assisted."

- "There is much subtle racism. You feel isolated and can only focus on academic matters. They say they won't spoon-feed you, but actually they just don't want to make the effort. They would rather have students drop out than failing later. The focus is on quality only. People with disadvantaged backgrounds need support."

These views that were expressed during the Committee's visits were also found in a CHE study of institutional culture at Wits (CHE, 2006). The interviews with students are revealing:

> Some of us are failing not because we [are] not doing well, maybe it's because we are black. Whenever, white people will write whatever they want, they look at scripts, they look at names, and if your name isn't mmm, already it is a deduction. This can be overcome if there were 50/50 black and white lecturers. (p4: Science student 05.doc - 4:8 [291:304])

> "So racism is an issue?"
> "Racism is an issue".
> "So how can it be overcome, what can you suggest?"
> "I don't know, I mean lecturers for one they have to just accept that we are here to study and that we are not different from other races and they don't have to isolate us and treat us in a negative way because if you treat us in that way it affects us as well in terms of academics as well". (p10: Science student 16.doc - 10:3 [306:310])

> "… to a certain extent it did but then I was quite disappointed because there are some faculties which I shall not name, that display or love racism if … you would say. There are some elements of racism that you encounter, but as subtle as they are, they are there." (p14: Humanities Student 07.doc - 14:1 [43:43])

> "Well mostly lecturers are racist. They wouldn't give more attention to black students than white people. For instance, we went to this other chick, two weeks back, during the September holiday. We did different projects. Before we went there. I didn't know if they chose the groups to be white, I think it was planned. If there was a white person in our group, they would be our group leader. There is no one concerned, whether we like it or not. Whenever we go to lectures they tell us to go to students and they will tell us what to do." (P60: Science student 25.doc - 60:5 [704:714])

> "[At] the School of Art, there are students who say there's still that racial segregation or whatever you call it and to me it's like maybe it's like that a little bit because I was getting 40s and 50s and I used to work hard. The white students were not working hard but they were getting 80s and you compare your work and you see that I'm even better than them. You see that this white student fails to do referencing so how come the content …? (P32: Humanities Student 27.doc - 32:1 [166:166])

The black student experience in the classroom is eloquently and powerfully captured in the views of a black staff member at UKZN:

> As a mother I see the pain, the hatred, the frustration and shattering of dreams of African children who knew that they are the best but now they are made to know that they are not the best. These

> are kids from Nkandla who have never been lectured to by white people, they have to struggle with accents, environment, etc. (UKZN meeting with staff)

The racism in the classroom is furthermore repeated in the social life and recreational activities on campus and, in particular, in the way that spaces were organised. Black students felt, for example, that certain refectories, sport, codes and residences, which are discussed in Chapter 5, were coded by colour. A student at UCT commented on the segregation she had experienced at a restaurant on campus:

> There's Nescafe Coffee Shop. It used to be White dominated, I swear to God, if you go there, they look at you funny and you gonna feel like I don't belong here. I shouldn't even be here… even the staff who are serving you are a bit concerned about 'what you are black, why are you here?' Two, even the residences, like Liesbeck (sic), has Black students only…. (Soudien, 2008:30).

At NWU students spoke repeatedly of the different ways in which white and black students were treated, from cultural activities to formal student governance. A regular difficulty that black students experienced, was related to their induction into campus life. This matter is treated in more detail in Chapter 5 on students and the living experience. However, real challenges were experienced by black students upon entering the university, as they were not familiar with the customs and traditions of the institution. A student at NWU claimed that he had been suspended for approaching a donor, not knowing that it was against the policy of the institution for individuals to do so.

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Sporting activities appeared to be structured on a racial basis on several campuses. At a number of institutions it was suggested that certain codes and social activities were associated with particular race groups. It was claimed that the 'white' codes such as rugby, cricket and hockey were better supported and received a greater proportion of the resources allocated for sporting activities, relative to 'black' codes such as soccer. At CPUT it was indicated that there were distinctly different African and Coloured soccer teams with an African coach for the former and a Coloured coach for the latter, which also received the bulk of the resources (CPUT meeting with students).

The unequal access to resources was raised in relation to the residences, which are discussed in Chapter 5, as well as in relation to merged institutions, where the perception is that resource distribution favours the erstwhile white campus. This was suggested at UJ, where the students argued that the bulk of the resources went to the main campus, which was 70% white. The perception of differential allocation to the three campuses that constitute the UJ is brought to the fore in the names used to identify them. Thus, the former RAU Campus (the main campus) is known as 'Hollywood', the former TWR Campus is known as 'Bollywood' and the former Vista campus is known as 'Nollywood'.

Racism engenders deep feelings of loneliness and alienation. A black student at UCT said that coming to the university 'was like coming to a new country'. And as a student at Wits observed:

> Students want to finish and leave and don't want anything to do with the University in the future. (Wits meeting with students)

And although gender discrimination and sexism were rarely referred to, it is clear from the few instances in which these were mentioned that these two issues remain a key problem and they are likely to be as pervasive as racism, if not more so, given that they cut across racial lines. At UL students claimed, and there is evidence to confirm this

according to staff members, that sexual harassment and the victimisation of students were prevalent. They take the form of sexual favours demanded by lecturers in return for passing students. This was captured as: 'The closer you get, the more marks you get'. The students indicated that white lecturers were preferable to black lecturers, as they were not involved in sexual harassment. Similarly, at UL vigorous testimony was heard about the rampant abuse of female students by men and the failure of the University to deal with the matter in a significant way. And as a Wits student indicated:

> Basically I hate Wits parties, I can't stand it ... I'm claustrophobic, I don't know, you kind of feel violated. I went for one party last year and I sw[ore] I will never go for another party ... I had like five guys grabbing my butt. It was the first time I went out wearing jeans and was dancing with my boy friend. Then these guys come one by one and grab and move and grab move. I felt so violated.... (CHE, 2006: p19: Humanities Student 12.doc - 19:1 [87:91])

Similarly, homophobia was reported as a serious problem at RU. As a gay student pointed out:

> The views of gays are discounted by house committees. It is easier to ask for more black lecturers than it is to ask for more gay lecturers. (RU meeting with students)

Furthermore, the inter-relation between racial and sexual harassment was brought into sharp relief at UKZN, where it was suggested that while rape was widespread, it only became an issue when it involved white women (UKZN meeting with students).

It is important to bear in mind that the widespread nature of sexual harassment itself reflects an underlying institutional culture that is sexist. As the US submission indicates, there is a "culture at Stellenbosch that promotes a view of the relationship between the sexes as gallant[try] from the side of males, [it is] paternalistic and [a] mainly romantic [idea of gender relations] persists" (US, 2008:19).

In a number of institutions, the students also raised discrimination in relation to disability. This was with regard to attitude, a lack of appropriate physical infrastructure and an insensitivity to learning disabilities:

> ... the problems that she and other disabled students at the institution [UKZN] were experiencing seemed to stem from able-bodied students who failed to accept them as equals. (Blind student writing in the Natal Mercury, 5 May 2005, UKZN 2008: 11)

> The University is not disability-friendly. The access points for disabled students are at the back of the residences. The residences have disabled bedrooms, but wheelchairs can't get in. There is no information provided to prospective students about what arrangements can be made. (RU meeting with students)

> There is no sensitivity to learning disabilities such as dyslexia. No separate rooms are provided to write the exams in so that [you are] not disturbed by other students. The bureaucracy around dyslexia is a problem. One needs letter from a doctor but it is not dealt with, so the letter gets outdated, application forms go missing, etc. (RU meeting with students)

> The disabled students at Bunting Road [UJ campus] have not attended lectures for three weeks because there are no ramps. (UJ meeting with students)

And last but not least, discrimination linked to class background was raised by black students across institutions. The key issue in this regard, as discussed above, is the lack of financial resources to support poor students. This impacts not only on access to higher education but also within institutions on the ability of black students to participate in social and recreational activities. It was suggested at both Wits and UP that poor students could not participate in sports and various cultural activities because they could not afford to buy the required equipment.

Furthermore, although not articulated in clear terms, there does seem to be a growing divide amongst black students linked to social-class, i.e. the poor and rural black students versus the urban and sophisticated students coming from a former model C school and/or private schools:

> Other races also feel isolation, but for black students it's worse. Black students also don't support each other – other groups do. In the dining halls it is only the 'oreos' that sit with white students. There is a division between those who attended 'white' schools and those from poorer areas. It even depends on which white school. These people mix with white people, some mix more broadly, and some move to the black groups and stop mixing with white students. (UCT meeting with students)

> It is not only a matter of race, it is social class. It is where you come from. Young people don't see race. We need to advertise/campaign to get people to change their views. (UCT meeting with students)

> Let me start with clothing especially when it comes to girls, you know. You must wear something fancy, even your personality [and] how you look. Sometimes I say let me be myself just for my true identity so that they will recognise me. Sometimes you have to adapt to the environment and say let me look like this. In terms of language, at home, even after Matric I was using isiZulu. It's my mother tongue. Even at school we were taught in isiZulu, even English was taught in isiZulu. It was like big change, but I'm getting there. (CHE, 2006: P32: Humanities Student 27.doc - 32:4 [36:46])

Similarly, at UCT it was suggested that, not only was there a division between students who went to 'white' schools (i.e. private and suburban schools) and those from the townships or rural areas, but the division was also based on which 'white school' was attended.

In this regard, the Committee was unable, for example, to determine whether students' prior schooling was a factor in how well they adapted to university life. It is probable, however, that students from integrated former Model C schools and private schools made the transition to a historically white university with more ease than those from other schools.

The real-life experiences of racism by black students is not necessarily denied by white students. This was implicit in the suggestion by the white SRC President at UP that "there has been an improvement in managing racism and the institution has come a long way with regard to transformation". Similarly, the FFYP stated:

> Racism is a social problem and needs to be acknowledged to address it, but in all its manifestations. We are sensitive to racism because we understand what happened in the past. However, it is important to understand the context of white students – in particular the message they receive from their parents regarding affirmative action, white poverty, sports' quotas and being deprived

> of opportunities. And the latter is also the message from government, namely that opportunities will be taken away. (Meeting with national student organisations)

White students perceive transformation and its focus on equity and redress as providing unfair advantages to black students without affording white students any protection, either in terms of access or language and culture. The differential entry-level criteria for black and white students and, in the health sciences in particular, and the fact that academic development and support programmes are restricted to black students were especially contentious (FFPY, meeting with national student organisations):

> Transformation is accepted by all but whites are not protected by the way in which it is implemented. For example, there are no quotas for white students in the residences. Transformation is not effective if it impacts negatively on some. For example, if I can't speak my own language in the residence or the fact that there are special classes for black students. (UP meeting with students)

> I am the only white student in the class and was taking my pen out of my bag and was told by the black lecturer not to be unruly. The black students use cell-phones, etc., but this is accepted by the lecturer. In psychology the black students have an additional 5% added to their marks. (UJ meeting with students)

There is no doubt that, as with staff, there exists a 'them' and 'us' culture between black and white students, which was evident from the difficulty most participants had in not thinking along lines of racial solidarity. And the point bears repeating that unless, and until there is open and honest debate and discussion about transformation and discrimination in all its facets, the divides of the past will continue, regardless of how progressive the policies are, to act as a brake on fulfilling the transformation agenda outlined in the White Paper.

4.4 Conclusion and Recommendations

The real-life experiences of black and white students as reported here, and the primacy of race in particular, are confirmed by findings from the Institutional Culture Surveys that have been undertaken by institutions such as UCT and Wits, as well as from the academic literature on transformation in South Africa (Cooper, 2005; King, 2001; Mabokela, 2001; Sedumedi, 2002; Sennet et. al; Walker, 2006; Woods, 2001). And although underplayed, discrimination based on gender and disability is a problem and, in the case of gender, is probably as pervasive as racial discrimination. In addition, as has been indicated in this chapter, discrimination based on class is also becoming increasingly significant, which is not surprising, given the broader changes in the social and economic structure of post-apartheid South Africa. It is a fault line to which institutions appear to be less sensitive. It is imperative, however, that institutions develop a greater understanding of the impact of class, lest it acts as a further obstacle in what is already a challenging agenda for change.

However, and without detracting from the real-life experiences of black students described in this chapter, it is also important to note that the institutional surveys and academic literature also point to significant and apparently contradictory perceptions held by black students with regard to transformation and discrimination. While the latter paint a vivid picture of the racial frustrations of students, the real tragedy lies in the thwarted desire of students to feel at home – echoing Lionel Thaver's (2006) provocative criticism of the cultural estrangement experienced

by black students in white institutions. A student comments on his feeling of social loss at the US in Mabokela's work:

> (Just) look at Stellenbosch (the town) – it's White, White, White. Where do I go to socialise? I can't go to Kyamandi (the local Black township); those people look at us like we are strangers. (Mabokela, 2001:69)

There is an intense desire, on the part of the students to fit in and be accepted. This is partially due to the recognition by students that higher education provides the opportunity to grow beyond the narrow confines of locality. The possibility offered by the academic experience and, of course, it is not experienced by everybody in the same way, is that of self-transformation, as Graaff argues (2006: 1). This is supported by a recent study on the student experience at Wits by Cross and Johnson:

> There is certainly a perception among students that participation in the Wits community enhances the chances of epistemic success, though it is not a condition *sine qua non* that one succeeds. According to student accounts, full participation in campus life and initiatives provides opportunities for leadership development, social and cultural awareness, and replacement of family or institutional support by providing common spaces or resource networks and channels for reaching out to communities. (Cross and Johnson 2008: 275)

They go on to argue that participation and epistemic success are dependent on negotiating the shared spaces and shared meanings pertaining to the campus experience. And it is the latter rather than "policy initiatives and structural dimensions of change", which would enable the creation of a shared institutional culture (ibid.: 281). How this is done is captured by the experiences of a first-year student at UCT, who tells Kapp and Bangeni (2006):

> You keep on debating because there's no answer. They say they don't look at the outcome, but in a way you are because you are using education as a means to go.

Another, a third year student, says:

> I have grown to realise through what I have been taught about God, females and males, [that] the world is not necessarily what it is and that what I believe in is not necessarily true or wrong – not everything is black and white ... I have learnt that human beings are not passive; they question things, its roots and how things become universally accepted. (ibid.)

Similarly, a student at Stellenbosch comments in a survey undertaken by Liebowitz *et al.* (2005: 33):

> I've started looking at diversity with greater depth… and the funny thing is, when you sit and look at people you just assume that they're alike, but even in homogeneous groups you'll find people from completely different backgrounds and they view the world differently.

Equally noticeable, however, is that there are students who adapt positively to how they fit into the institution and hold on to their identities in a way which affirms their pasts and their futures A number of students at UCT (Kapp and Bangeni) and US (Liebowitz, et al.) talk of how their lives have changed and how they have come to learn to live with others around them. Their self-concept is strong. There are also students who go through a deep

transformation of own identity. A student in Graaff's study, Linda, holds on to her coloured identity, but refuses the facile ways in which it is transacted in one of her classes:

> I put up my hand (in one of the lectures) and said, 'Um, I'm sorry, I don't like the use of the word, coloured, in class', and he was like, 'But, but, but… we use it all the time'. And I said, 'Then, no, you should change it, this is the place where you change words. A university changes words.' And then afterwards he was so scared. Every time he used the word… he searched me out. So this is what university has done for me (Graaff, 2006: 7-8).

It is precisely the possibilities of self-transformation, based on negotiating shared spaces and meaning, that should animate the transformation agenda, because they provide the basis for the development of a non-racial and non-sexist institutional culture.

The key structural issues that need to be addressed to ensure progress in student equity, are related to access and success. The access of black students to higher education has improved significantly since 1994. Challenges remain, however. There are still inequities in relation to the participation rate of African and Coloured students. Further progress in this regard is, moreover, dependent on improving the quality of schooling, as access is constrained by the fact that large numbers of black students continue not to qualify for entry into higher education, because they do not meet the minimum requirements for entry.

Access is also constrained by the lack of financial wherewithal and, despite the best efforts of the state to address this via NSFAS, the funding of the latter remains inadequate. As for success, despite the ongoing efforts to provide academic development and support programmes, the throughput and graduation rates of black students remain low. However, as the cohort analysis in Table 8 indicates, although white students do better than their African counterparts, this is relative and the fact that 41% of white students drop out without graduating, suggests that the problem is wider than merely the poor preparation of black students. It raises questions about the quality of schooling as a whole and its impact on the gap between school and higher education. This requires that a systemic solution is necessary to address the problem.

It is against this background that the Committee makes the following recommendations to address the structural obstacles to student equity:

(i) The Committee welcomes and supports the review of the current undergraduate degree structure to assess its appropriateness and efficacy in dealing with the learning needs of students, given the context of schooling in South Africa, and given the acknowledged gap between school and higher education, which the Minister has requested the CHE to undertake. The review should, in particular, consider the "desirability and feasibility" of the introduction of a four-year undergraduate degree, which was mooted by the CHE in its *Size and Shape Report* in 2000 (CHE, 2000:32) and the investigation, which was supported in the National Plan for Higher Education (NPHE, 2001: 32). This would include reviewing the role of academic development programmes and their integration into a new four-year formative degree. It may also provide the framework for addressing the curriculum recommendations proposed by the Committee in Chapter 6.

(ii) To avoid the stigmatisation of students and the radicalisation of academic development programmes, there should be clear and transparent criteria and guidelines developed by all institutions for the admission of students into academic development programmes. These should be communicated to all students as part of the admission process.

(iii) Institutions should introduce staff development programmes to familiarise staff members with, and sensitise them to the learning needs of students from diverse backgrounds.

(iv) Institutions should review their student orientation programmes to ensure their appropriateness in terms of addressing issues of inclusivity and diversity, as well as in terms of explaining the academic rules and regulations that govern academic study.

(v) Institutions should complement their disability policies with an institutional plan, including where appropriate, given the cost-intensive nature of some aspects of catering for disabled students, a regional plan to support the learning needs of students with disabilities.

Chapter 5:

Students and the Living Experience

5.1 Introduction

University residences are homes away from home. However, unlike the homes from which students come, they are not socially cohesive in the sense that they are spaces of shared norms, values and practices. This has become more so in the last 20 years, when the relative institutional homogeneity bestowed on institutions by apartheid was disrupted by the rapid changes in the demographic composition of higher education, as discussed above. Although this disruption impacts on the modus operandi of institutions in general and, more specifically, with regard to their dominant institutional culture, it is most acutely felt in residences, which are a social cauldron in which young people from varied socio-economic and cultural backgrounds, and with very different life experiences are thrown together. It is therefore not surprising that it is in the residences that racism has manifested itself in a direct rather than covert or subliminal sense. Indeed, as a student at the UJ argued: "If discrimination is going to happen, it will happen in the residences", as residences are homes where students spend most of their time on campus. The pervasiveness of racism and racial incidents in residences, which belies any suggestion that Reitz was an aberration, is well-captured by the following student blogger:

> According to *The Star*, there was yet another racial attack at the Dromedaris Residence in UJ. Two first-year students at the University of Johannesburg (UJ) have been attacked and their room trashed inside a residence which is becoming notorious for racist incidents. The boys, who were too scared to have their names published, said they were asleep at 3 am on Tuesday in the Dromedaris residence when someone banged on their door. 'This was not the first time, so we thought that if we kept quiet they would just go away… About two hours later I woke up coughing. There was thick smoke all over the room.' The students said a fire extinguisher had been emptied in their room through a hole at the top of the door. When they opened the door for air, two senior white boys allegedly assaulted them.
>
> Being a student at the UJ I can tell you all that this is probably the fourth racial incident at the Dromedaris Residence. Every black student will tell you that UJ Kingsway campus is one of the most racist campuses in South-Africa and it seems that management is not prepared to do anything about it. In February a Black student was allegedly made to take a cold shower for four hours in the name of initiation. In March some guy was beaten outside the male residence (although the res manager claim the incident was non-racial) and in march a white guy was beaten up for standing with a black guy on campus. (Aquilogy Blog, 30 July 2008)

The trashing incident referred to by the blogger ironically occurred on the night before the Committee's visit to the University of Johannesburg!

The pervasive racism that appears to bedevil black-white relations in the historically white institutions is not the only form of discrimination in residences at higher education institutions. Equally pervasive, it appears, are (i) sexual harassment, which cuts across the divide of historically black and white institutions, (ii) xenophobia, which

lurks in the background in some of the historically black institutions, as well as (iii) racial tension between African, Coloured and Indian students at the latter. The different forms of discrimination and the associated pathologies are the products of differences in the social, cultural and economic backgrounds of the students. And although many institutions have introduced programmes to sensitise students to these differences, as well as policies to deal with discriminatory behaviour, the fact that these problems continue suggests that, either there are intrinsic weaknesses in the policies and programmes and/or that there are other factors, both internal – the lack of a transformed institutional culture – and external – the role of broader social forces and constituencies – which hinder the transformation process of residences.

There are two key issues that underpin and give rise to discriminatory practices in university residences, namely the policies on the integration of the residences and the role of residence culture and tradition. These are discussed below. It should be noted that, as the issues impact differently on historically black and white institutions, they are discussed separately where appropriate.

5.2 Residence Integration

In terms of racial integration, at the level of policy, all historically white institutions are committed to the integration of residences. This commitment is guided by the values of the Constitution, as well as by educational objectives, linked to equipping students with the skills and knowledge to participate in the world of work. According to UFS, the objective of its new policy to increase diversity in residences, which was to take effect from 2008, is:

> … to overcome the racial divides of the past and equip students in residences with the knowledge and skills to understand people from other cultures, appreciate other languages and to respect differences in religion but also economic background. This will give students in UFS residences a distinct advantage over many other work seekers in South Africa, because the workplace today is a very diverse place with people of many backgrounds. (UFS 2007)

The implementation of the integration policy takes different forms. Thus, in the Afrikaans-medium institutions, it is based on the setting of quotas for first-year places, for example, the UP has a quota system based on the demographic composition of the student body – thus, in 2008 the quota was 41% black and 59% white UP 2008a: 9), while at the US 30% of the first-year places are allocated based in order of priority, namely, disability, race, gender, age, financial need and distance from home (US, 2008: 17). Similar the UFS policy is based on a minimum diversity level of 30% (UFS 2007) while the UJ reserves 25% of first-year residence places for black students (UJ, 2008b). In the English-medium universities, there are no quotas set. Thus, the UCT allocates residence places on considerations of equity, gender, academic merit and field of study (UCT, 2008: Attachment 11: 1) and a similar system is in place at RU (RU, 2008: 32). At UP, the placement of senior students, that is, second and subsequent years, in residence seems largely to be based on academic merit. For example an average of 50% is required while preference is given to students with an average of 55% and above (UP 2008b: 1).

The policies introduced to integrate the residences are to be welcomed. However, there are significant weakness and inconsistencies internal to the policies and/or their implementation, which preclude integration in the fullest sense of the term. These are outlined below.

First, the quotas where they are applied are macro quotas, that is, they aim to ensure racial balance in the residences

as a whole but do not apply necessarily to room placement. Thus the fact that a residence is 'mixed' does not imply that students from different race backgrounds share rooms. In fact, it does not even imply that there are mixed corridors in the residences. This is the result of the application of the principle of 'freedom of association', which is invoked on the grounds that students should be allowed to choose with whom they wish to share a room. This invariably leads to students choosing along racial lines resulting in the separation of residences either by different race corridors and/or race rooms within the same corridor, which is not surprising given the continued realities of the spatial separation of race groups linked to the apartheid past. The latter is confirmed in the UCT submission, which indicates that since the removal of choice as a criteria in 2007 in response to the perception that it resulted in whites' only residences, the residences have been racially integrated residences albeit with, on average, a 30% white student population (UCT 2008: Attachment 11 - Residence Policy: 5-10).

However, there is evidence to suggest that the principle of freedom of association is itself breached with subtle pressure brought to bear on students who want to share across race lines. Thus, at the UP it was reported that:

> Two Mozambican students – one white and one black – wanted to stay together but the white student was asked at the residence office if he did not want to stay in a white house. (UP meeting with students)

> Freedom of association is used to separate students. The Constitution is used but only one clause. External pressures are brought to bear on students who want to share across racial lines. (UP meeting with students)

Furthermore, aside from the principle of 'freedom of association', mixed rooms were not encouraged – for example, prior to 2008 at RU, "on the basis that the inevitable conflict is very difficult if not impossible to manage" (RU 2008: 32). And indeed it is precisely such conflict that resulted in the resegregation of residences at UFS in the late 1990s.

There were two other concerns raised, pertaining to the quota system at UP: (i) that once the black quota was filled, even if there were vacant rooms not taken up by white students, they would *not* be allocated to black students; and (ii) that the main criterion for a place in residence should be first and foremost that of need and quotas and academic merit should be secondary considerations (UP meeting with students). The latter issue, namely that residence allocation should be based on need and not on academic merit, was raised by black students across institutions.

Secondly, the allocation of residence places to senior students on the basis of academic merit apparently does not impact negatively on the racial balance in residences, according to UP. The number of senior black students in residences was of the same proportion as that for the first-year quota (UP, 2008a: 8). However, this is not the perception of students who argued that, in the senior years, the residences became 'whiter and whiter' (UP meeting with students). It may well be that this perception is based on the actual racial composition of the residences which, in the senior years, may be more susceptible to manipulation by residence committees that may be seeking to limit the number of black students in particular residences.

Thirdly, in relation to mixed residences it has been suggested that integration could work if students came from the same socio-economic background:

> Council came in for a lot of criticism from alumni and parents with regard to the mixed residence policy because of the different social and cultural backgrounds of the students. It is OK when students come from the same background, for example black and white students from Grey College. But it is difficult when a farmer's son has to share a room with a liberal black from Soweto. (UFS meeting with Council)

However, this is not supported by the available evidence. A survey of first-year students, the majority of whom came from racially integrated schools, undertaken by UFS to assess the impact of its residence integration policy, found that there was "no significant correlation … between attending an integrated high school and agreement with residence integration" (Strydom & Mentz, 2008: 1). Indeed, the survey found strong resistance to residence integration amongst white students:

> - A total of 93% of students who disagreed with residence integration were white.
> - Approximately 42% of white students would not want to share a residence on campus with black African students, whilst more than 75% of white students do not want to share a room with a black African student. This is in strong contrast to the mere 9% of black students who do not want to share a residence with white students, and less than 20% who would prefer not to share a room with a white student. (ibid)

Fourthly, the principle of residence integration is subverted by the separation of the allocation of a residence place, which is done centrally by the University Residence Office, from the placement of the individual student in a specific room and/or corridor within the residence, which is done by the management committee of the residence. The decentralisation of decision-making on room placement to the residence management committee, which comprises a combination of elected students and the warden, is ostensibly justified on the grounds that student participation in the management of the residences facilitates the smooth functioning of the residences.

The principle of participation is a good one. But it cannot be at the cost of the principle of integration. All the evidence points to the fact that decentralisation is the real obstacle to residence integration. As UCT argues, decentralisation is open to nepotism and has resulted in students deciding on single race corridors (UCT 2008, Attachment 11: 13-14). This is not surprising, given that white students tend to dominate the residence committees, and given the views of white students in the UFS survey, which are more than likely to be representative of the views of white students across the system as a whole. The residence committees ignore the policy on integration, because its implementation is voluntary. They also use aspects of residence policy, such as the principle of students being allowed to move rooms after a certain time-period, and to poach students to ensure race-based residences. Apparently this was common practice in white residences at UFS:

> The primes and SRC are not being honest. There is poaching by white hostels of white students from black hostels. The white hostel poached two white students from our residence and sent us two black students. There is no commitment to racial integration. (UFS meeting with students)

With regard to the centralisation of room placements, the point should be made that it would not necessarily impact adversely on the principle of student participation, as the residence committees would still have a substantive role to play in the day-to-day running of the residences.

In the fifth place, the fact that the residence committees are not racially representative is cause for concern, given

their role in placements, as well as in coordinating the residence-based diversity programmes. The residence committees are dominated by white students, it would seem, because black students have not taken "ownership of the residences and residence activities", according to a black student at UP. This is confirmed by students at Rhodes:

> There are programmes to sensitise students to new values, etc., but these are run by house committees, which are not representative. They are largely white in the male residences. The house committees are elected by the students and, although the residences are mixed, more whites than blacks stand for election. The people who stand for elections tend to do so because they have a particular understanding of residence traditions and culture. And they have views of what is required to 'fit in', and so the other students end up accepting in order to 'fit in'. It is even accepted by black students. (RU meeting with students)

However, there is evidence to suggest that the low participation of black students in residence committee elections may have something to do with the structure and procedures of the election process. This is illustrated by two different experiences in this regard – at SU and UP. At SU, the residence committee for a new integrated residence was initially appointed, taking into account race and gender. However, subsequently when elections were introduced, few black students stood and even fewer were elected. The University ascribes the reluctance of the black students to stand to academic study demands. But this does not explain why black students accepted appointment to the residence committee as presumably the academic study demands were no less stringent (SU, 2008: 16). At the UP on the other hand, about 45% of residence committee members are currently black. The University suggests that this is due to changes in the policies and procedures pertaining to the election, which involves 15 students being elected in the first stage and then the final 11 being chosen by a selection committee to ensure representivity (UP 2008a: 5-8).

In addition, the concerns raised regarding the role of middle management as a brake on transformation with regard to staff equity, applies to the residences as well. While progress has been made in appointing black residence managers, in many institutions they remain in the minority. This fuels the perception that maintenance and standards drop as soon as the residences become mainly black. At NMMU it was suggested that:

> Standards have fallen since black students have moved in. How did the residences change because they were not in a poor condition before? Why has it changed and why is there white flight? Is it because of the change in management? Or is it because of a change in student demographics? (NMMU meeting with students)

There is also the perception amongst black students that white students are allocated to better residences and better rooms within residences. The claim is also made that white managers give preferential treatment to white students, but that they do not care about black students and are opposed to integration.

In the sixth place, there are claims that at institutions such as UCT, the conditions in the black residences, which were established to address the accommodation needs of black students and which are in some cases some distance from the university itself, are not on a par with those on the main campus.

In the seventh place, it is clear that, even when integration is practised in room allocation, such as at RU, where since 2008 a lottery system has been in use for allocating rooms, this does not necessarily result in social

integration. Students continue to congregate in racially determined groups in the dining hall (RU meeting with management).

Finally, it should be noted that all institutions have introduced diversity training programmes for residence management staff and residence committees. However, although it is not possible for the Committee to assess the efficacy of these programmes, it has been suggested by students at some of the institutions that the programmes are not adequate. It involved a one-day excursion and entertainment in one case (UJ meeting with students) and, in another, it apparently involved report-backs on policy (UFS meeting with students), or they were run by residence committees, who were not representative themselves (RU meeting with students).

The analysis has thus far focussed on the issues and challenges posed by racial integration of residences in historically white institutions. This should not, however, be interpreted to suggest that the integration of residences does not pose any challenges for the historically black institutions. The integration challenges in the latter relate to both race and nationality. With regard to race, this is primarily a problem between black students, i.e. African, Coloured and Indian students, and is mainly limited to the urban historically black institutions, such as UWC, as well as to those institutions that were established through a merger between historically black and white institutions, such as CPUT and UKZN. The main issue relates to the perceived preferential treatment of Coloured students in the Western Cape and of Indian students in KwaZulu-Natal. Other issues relate to the perception of African students that the maintenance and standards of facilities deteriorate when they become the majority in residences. In addition, it seems that Coloured students refuse to share rooms with African students and, while this was not raised with regard to Indian students, there is no reason to believe that it would be any different.

As far as nationality is concerned, there is a strong perception that African students from the other parts of the continent are given preferential treatment in residences, both in terms of the process and living conditions. Therefore, at Fort Hare, where there are a sizeable number of Zimbabwean students, funded by their government, it was suggested that residence places were kept open for them, even though they registered well after the opening of the first term. Similarly, it is alleged at UL and at UV, that non-South African nationals, from countries other than those in the SADC region, are allocated better accommodation:

> There is discrimination on the basis of race and the country of origin in terms of the allocation of international students to residences. Students from the SADC region are allocated ordinary residences, whereas those from developed countries (regarded as being international) are provided with better facilities in the university suburb. (UL meeting with students)

> Due to shortage of residences, a decision was taken to house fully paid-up students in the prefabricated residences since such students would utilise the student cafeteria and would not have to cook in their rooms. The unintended consequence was that Zimbabwean students were largely allocated to these rooms. The residences are now called Harare or refugee camps. South African students feel that foreigners are given preferential treatment. (UV, 2008)

It is clear that what lies behind the perceived preferential treatment of non-South African nationals, is their ability to cover the costs of their studies in full. In short, they are cash-cows for institutions that are financially strapped, and where the large majority of students are poor. It is remarkable, however, in the context of the recent xenophobic attacks, that these did not spread to these campuses.

5.3 Residence Culture and Tradition

The challenge of integration and the resultant conflict and tension are integrally linked to the organisation of residences based on identity, culture and tradition. This is specific to the historically Afrikaans-medium universities. In the historically English-medium and black institutions, with the exception of Rhodes, there is little evidence of organised activities linked to residence life. The role of the residences in these institutions is essentially functional, i.e. the residences are places to eat, sleep and study. This is not to suggest that there are no activities, but rather that these are informal and not linked to the distinctive identity of a particular residence in terms of culture and tradition.

In the historically-Afrikaans-medium institutions, however, organised activities are at the core of residence life. The activities – social, cultural and sporting, which vary from residence to residence, are organised on a competitive basis and the "team spirit and bonding that flow from this cause the residences to develop into close-knit and well organised communities" (Klopper, 2008: 2). As a student at UP stated in arguing against integration and the allocation of residence places based on need:

> A residence culture signifies the 'unity of the group', which is based on a common set of activities that bind the group. (UP meeting with students)

It further results in the emergence of distinctive identities, based on the activities that particular residences adopt and develop – for example, choral singing, rugby, etc. In addition, the identity is also linked to specific social and cultural themes. Thus, for example, the Dromedaris Residence at UJ, which was the subject of an investigation because of racial conflict and tension, is known as a 'sailor's' residence (UJ, 2008c: 61), presumably because the Dromedaris was part of the fleet of ships that brought Jan van Riebeeck to the Cape in 1652. It has adopted the symbols, rituals and hierarchies of the navy. Therefore, at house committee meetings, the members are dressed in naval uniforms, use titles linked to year of study, such as commander, lieutenants and boatmen and perform rituals such as the "first-year students kneeling to the presence of their seniors as they enter through the door" (ibid.: 64-66).

A common feature of residences in the Afrikaans-medium institutions is the presence of strong hierarchical structures. Senior students have considerable authority and power over first-year students, as is illustrated by the ranking structure described for the Dromedaris Residence above. The power of senior students is expressed most clearly in the initiation ceremonies that have been a feature of residence life in many institutions. At the start of the academic year, first-year students have to perform various activities, often of a demeaning character, determined by senior students. These include having to service the demands of senior students, such as running errands, washing their dishes, etc. In this regard it should be noted that the Reitz incident involving black workers was based on an initiation ceremony prescribed for second-year students seeking admission to Reitz. At the UP it was reported that some residences "still force first-year students to wear short pants" (UP meeting with students).

Initiation ceremonies signify the rite of passage to manhood and an induction into the assumption of adult responsibilities. They are common to many cultures and, notwithstanding their sexist nature, represent a celebration of life. However, the initiation practices at university residences are anything but a celebration. Instead, and perversely, they signify the 'making' of men out of boys through a process of 'breaking-in', akin to the breaking-in of wild horses. It serves the same purpose as the 'breaking-in' of rookies in the army, namely to instil the values of obedience and conformity, as well as the maintenance of order. And in the military sense it represents a celebration

of domination, which was the *leit motif* of apartheid. It therefore comes as no surprise that the UFS survey found that:

- Whites were rated by themselves and the other groups as being the highest status group.
- White students were significantly more likely to prefer domination of one group over another.
- White English-speaking students had significantly lower social dominance orientation scores than White Afrikaans-speaking students.
- White males had significantly higher social dominance orientation scores than white females. (Strydom and Mentz, op. cit.)

The last finding pertaining to differences between the response of white males and white females is further confirmed by evidence coming from both UP and UFS, which indicates that the implementation of residence integration policies has been more successful in the female than in the male residences (UP meeting with management; UFS meeting with management).

The distinct identity, culture and tradition that characterise each residence is built over time and handed down from "year-to-year as new residents enter the residence" (Klopper, ibid.). Indeed, it is handed down from generation to generation and is a source of pride amongst students who, more often than not, live in the same residences as their parents did before them. In this sense, the bond is much deeper than that between the students themselves and it extends to the family and broader community. And alumni play an important role in maintaining the identity, culture and tradition of the residences. Thus Reitz, which had been closed once before because of its anti-social behaviour in relation to other white students, was taken over and run by the alumni. Similarly, there are also alumni-owned residences at UP, which do not comply with the University's policies.

In this context, i.e. the role of the residences in building and reinforcing identity and social and cultural bonds, the introduction of integration policies that are perceived as constituting a threat to the 'unity of the group', are not likely to be popular with the students, parents, alumni and the broader community in general. A white student at UFS indicated that what was most feared about integration was the loss of 'their hostel culture' – long-standing traditions going back to their 'forefathers'. The significance of this is major in a context where the Afrikaner community has lost political power and has come to perceive racial integration as but the first step in an inexorable process leading to the eventual loss of culture, language and access to economic resources.

Given the responses of white students, one needs to be aware of how black students are responding to the changes that are taking place in residences. As the demographics of higher education institutions change, black students perceive the responses of their counterparts as a defence of past and continued white privilege, and an attempt to keep black students on the periphery of the institution. As a black student at UFS asked:

> What is hostel culture? Who decides? Whose tradition? (UFS meeting with students)

The relevance of the question is wider than the marginalisation that black students experience. It has equal relevance for, and could be asked by white students who do not 'fit' in either because they do not accept the narrow privileging of particular cultures and traditions and/or because they are perceived to be 'deviant', that is, gay or lesbian, etc. In this regard, it should be noted that although participation in social and cultural activities in the residences is voluntary, those individuals who choose not to participate may be isolated, ostracised and 'treated as outcasts'. At the UJ such students are referred to as 'Gingos':

> Though the impression is given that some of these traditions and/or rituals are a matter of choice, the choice made determines the degree in which one is a member of the house or not. (UJ, 2008a: 78-79)

The pressure to 'fit-in' is common in situations where the idea of the 'group' is determinative. Therefore, it is not surprising that, when black students were in a minority in Afrikaans-medium institutions and a handful were staying in residences, they accepted the dominant culture and traditions to 'fit-in'. However, at UFS, and presumably at other institutions as well, as their numbers increased, they began to challenge the dominant culture and tradition and to push for their rights, including demanding English-language newspapers and changes to the language of communication in residence meetings, etc. (UFS meeting with management). This challenge has resulted in changes such as the banning of initiation ceremonies and associated activities that could be construed as an infringement of the individual's rights. This, in turn, directly challenges the senior-junior hierarchy in residences.

Therefore, the fear of the loss of hostel culture is increasingly becoming a reality, resulting in greater anxiety and fear of the future on the part of the white students. There is, on the other hand, evidence to suggest that, where identity, culture and tradition are removed from the equation, tension and conflict are minimised and the chances of integration succeeding are considerably greater. This is suggested by the experience of students at a new residence at Rhodes, which has no prior history and cultural baggage to fall back on:

> The new residence is better because we don't have issues of tradition and culture and therefore deal with issues better. (RU meeting with students)

At Stellenbosch, on the other hand, the new integrated residence referred to above in relation to the participation of black students in residence structures adapted what were presented as traditional approaches to the new context:

> *Traditional Matie/Stellenbosch culture in terms of events such as Jool, Vensters, Trollies, See, kultuuraande, Huisdanse, sokkie, Henne-en-Hane-dinee,* etc. is firmly entrenched, even in a new residence, but Metonoia adapted and improvised in many ways with the inherited institutional culture, in order to put its own spin on it, e.g. it won the national female Serenade Competition, sporting a diverse singing group as well as a diverse offering in terms of what they sung. Minority cultures are not actively promoted in Metonoia, not even by their own adherents. Some minority students opt for assimilation into the majority culture to be more 'acceptable' to others. (SU, 2008:18)

It is not clear who the 'minority' students in the quotation above are, but given the overall demographics of US, the chances that they were black are high. Interestingly enough, black students appeared to discontinue their participation in the residence structure from their second year onwards, when elections were held. Why this was so is unclear. It could have been that they objected to 'assimilation' rather than, as the University suggested, the pressure to do well for economic reasons precluded them from taking on additional responsibilities.

The adverse impact of culture and tradition on integration is being addressed by both UP and US, via shifting from a 'tradition-driven and regulation-driven' culture in the organisation of residences to a value-driven culture. This involves each residence assessing its traditions and associated activities against an agreed set of values, which differ from residence to residence. The values adopted by the residences are guided by the values of the University, which are consistent with the values in the Constitution. The residence traditions and practices are then evaluated

against the adopted values. If the traditions and practices are inconsistent with the values of the residence, they are removed and new traditions and practices are developed.

The shift in focus to a value-driven culture is to be welcomed insofar as it requires a constant reassessment of traditions and practices. However, it is not clear whether it necessarily provides an alternative to the tradition-driven culture of the past. If anything, it could be argued that the tradition-driven culture was itself value-driven, albeit by a set of values that were inimical to the values of the Constitution. Furthermore, the focus on values that are in line with those in the Constitution, could create a conundrum of its own in terms of how the different values are juxtaposed and interpreted. To illustrate: Is human dignity impaired if choice with regard to sharing a room is denied? It is not the intention of the Committee, in raising potential problems with the value-driven approach, to dismiss it. On the contrary, while new approaches and innovations should be welcomed, especially as there are no easy solutions to the challenges of integration, it is also necessary to assess their efficacy, so as to enable forward movement. Although the Committee is not in a position to assess their efficacy, it should be noted that, at least from the perspective of students from both sides of the racial divide, the value of a value-driven approach remains unclear.

In addition, although all institutions have banned initiation ceremonies that are degrading, it seems that initiations still continues to a greater or lesser extent, especially after the orientation week, when there is less stringent monitoring. It also seems that initiation activities that do not cause bodily harm may be regarded as trivial and therefore overlooked, or having a blind eye turned to them by residence managers and residence committees.

The focus on identity, culture and tradition and their impact on the integration of residences at Afrikaans-medium institutions should not be interpreted so as to suggest that these issues have no resonance in other institutions. However, the form these take in the English-medium universities is more amorphous and informal, but no less linked to 'relations of domination and subordination'. The classic example of this at RU is public drinking and its associated behaviour, such as streaking, vomiting in public and 'bush-diving' – the headlong leap of young men into woody bush. These actions supposedly instil a "sense of pride, loyalty, belonging and honour, which are associated with participation", according to a study on the phenomenon at RU. The study suggests that, while black students drink, the culture of public drunkenness is a white male culture and defines what is required for "fitting-in" in at Rhodes University. As the study argues:

> While the rituals of a 'drinking culture' appear to be benignly valorising a non-differentiating Rhodent's identity, or a drinking (versus non-drinking) student identity, there is a more fundamental division being instituted than simply between Rhodent and non-Rhodent. The actual distinction, the 'race' difference that is being instituted and consecrated remains obscured … Ritual thus has the function of redrawing the already drawn line – of instituting and reiterating a pre-existing 'racial' difference. The rituals of a 'drinking culture' in Rhodes student life – epitomised by events such as Trivarsity – carry forward, i.e. reproduce and perpetuate, the 'racial' distinctions and differences that have long preceded them. (Quoted in RU 2008: 43)

In the historically black institutions, the issue of identity and culture takes two forms – firstly with regard to the formation of male identity and relations of domination and subordination. These are expressed through the assertion of male authority and power and are justified on grounds of traditional culture. This is reflected in the comments of the (male) SRC President who indicated that it would be inappropriate in his culture for women to convene or chair a meeting or have anything to do with power (VUT meeting with staff reported in chapter 2). It is therefore

not surprising that, at least in terms of the SRC representatives whom the Committee met, there were no women who held significant positions, such as those of president, deputy-president and secretary. In addition, only a few of the women spoke. Instead, the tendency was to defer to the men. This is graphically illustrated by the views of a student interviewed at Wits:

> Yah I don't know. It is not like I'm trying to pull down or bash a woman, personally I would give it to a woman but you have to consider generally about these African notions and beliefs about a man being the sole provider. If you look at South Africa, a general belief in the African communities is that they are not comfortable with being ruled by a woman. We need to get to that full democratic state whereby people understand that a woman is equal to a man. Although I think it will take some time before men and women think in the same way, yes they do think but on different wavelengths. So there is a whole load of things to consider. (CHE, 2006: p22: Humanities student 15.doc - 22:2 [88:88])

Secondly, although underplayed by institutions, there is evidence to suggest that ethnicity and xenophobia are used to distinguish 'outsiders'. In relation to xenophobia, as discussed above, this is partially due to the institutional practice of creating separate residences for non-South African nationals, as well as applying preferential allocation procedures to them, which is fuelling resentment and is a potentially explosive situation. As for ethnicity, as indicated in Chapter 2, there is some evidence that students are segregated along ethnic lines in residences, hence the reference to the road leading to the residences where students from Limpopo and Venda live at VUT as the 'N1'.

5.4 Sexual Harassment

The focus on integration and its impact on residence culture and tradition should not be interpreted to imply that race and racism are the only challenges facing the residences. The emphasis put on the latter is in direct response to the Reitz video. However, Reitz was more than just about race and racism. It was also about the assertion of male power. And, as indicated above, central to any understanding of culture and tradition in residences, is the issue of the formation of a male identity in the sense of manhood, and its associated relations of domination and subordination. This is important to emphasise, because sexism, like racism, is pernicious and must be rooted out if higher education institutions are to be true to the values of the Constitution. However, although sexism has been raised in the institutional submissions and in the Committee's interactions with institutional constituencies in relation to employment equity, with a few exceptions there has been a deafening silence on sexual harassment in general and in residences in particular. The silence, however, does not mean that the problem does not exist. Indeed, from the few cases where it was raised, it is clear that sexual harassment, of women and gays and lesbians, is rife. As a Rhodes academic reflected on the University's Truth Commission Hearings:

> Our 'Rhodes thugs' are a bit different to those we've seen on the University of the Free State's video. Ours are not as blatant in portraying their prejudices. But they're here, they're alive and well, and getting away with it. Our student thugs are also mostly male, also racist – believing themselves to be superior to other human beings of different colours/ethnic groups, different sexual orientations, and gender. But instead of picking on workers … our thugs have beaten up gay men, including black gay men, beaten up and raped female students, raped lesbian women to 'cure' them, ridiculed and denigrated all homosexual people. (RU, 2008: 9)

It is important to bear in mind that sexual harassment itself reflects an underlying institutional culture that is sexist. As the US submission indicates, there is a "culture at Stellenbosch that promotes a view of the relationship between the sexes as gallant[try] from the side of males … [a] paternalistic [attitude] and mainly romantic [idea of gender relationships] persists" (US, 2008: 19).

5.5 Conclusion and Recommendations

An analysis of the state of integration in residences indicates that, while progress has been made, it has not progressed far enough. One comes to this conclusion in part as a result of the cautious approach by higher education institutions. They have been keen to avoid conflict and tension, both within the student body and with the broader community of parents and alumni, many of whom remain opposed to the integration of residences. Indeed, as Jonathan Jansen (2008) argues, racism amongst students in the historically Afrikaans-medium institutions must be understood in the context of the continued social isolation of Afrikaner students from the wider process of social change taking place in the country. Many of them, but clearly not all it needs to be stressed, grew up in family environments where racism is prevalent, where there is violence against domestic workers – both verbal and physical. For many, the loss of political power is compounded by negative perceptions of what affirmative action and black economic empowerment policies will do. It is this context that explains the Reitz video. This interpretation was confirmed by the Chairperson of the UFS Council, who suggested that Reitz must be understood against the background of white students who have witnessed in their homes the use and misuse of domestic workers who are black.

Against this background, while there can be no argument with the suggestion that students come into institutions with the values and prejudices of the community from which they hail, the key challenge facing institutions is precisely to position themselves against all forms of narrow-mindedness and chauvinism. A university, it has to be emphasised, is fundamentally about helping people to grow beyond their misconceptions and prejudices. As a deputy-vice-chancellor at Wits argued, what is offensive about Reitz, is not the blatant racism, but the fact that the students could graduate with their views unchallenged. The role of institutions, he argues, is to challenge the prejudices of students and to understand and explore these as a basis for overcoming them. The fact that this did not happen is a sign that the institution has failed the students.

It is against this background that one might suggest that it is the role of higher education institutions to provide intellectual leadership to society as a whole, by challenging inherited wisdom and prejudices. In terms of this, the Committee is firmly of the view that integration on just and equitable terms is not negotiable. The creation of a non-racial, non-sexist and democratic society is the foundation upon which the Constitution rests and must be upheld by public institutions. The principle of freedom of association cannot be used to justify racially segregated residences in public higher education institutions. The latter must be organised in line with national policy goals and objectives, and so as to be consistent with the Constitution. The integration of residences, including mixed rooms, does not negate the principle of freedom of association. Individuals have the right not to live in a residence if they do not agree with the policy of integration.

Furthermore, as indicated above, while the Committee welcomes the move to organise residences in the historically Afrikaans-medium institutions via a value-driven approach, in order to address the negative impact of residence culture and tradition, it is not convinced that this approach provides a long-term solution. It is the Committee's view that the principle of organising residences in terms of culture and tradition, irrespective of the fact that the

latter may be consistent with the values of the Constitution, does not remove the question of 'whose culture' and 'whose tradition' are being celebrated. The focus on culture and tradition implies the need to 'fit-in', being voluntary notwithstanding, and puts pressure on individuals who choose not to conform. And it is precisely this culture of conformity that higher education institutions should challenge.

In the Committee's view, this could best be achieved by organising residences as 'living and learning communities', i.e. as an extension of the classroom/seminar room. This would require organising residence activities around*, inter alia*, a programme of lectures and seminars on key challenges, linked to addressing the challenges that confront students as leaders and citizens in a changing society and world. An example of such a programme is provided by US, which is piloting a programme in its senior residences in which each residence is given a topic around which to invite speakers, both internal and external, to address them and that then serves as a basis for discussion and debate.

In line with the above, the following recommendations are proposed for consideration, with regard to the integration of residences:

(i) Racially exclusive or discriminatory practices in the allocation of rooms in residences should be abolished and placement policies should be based on the principle of creating opportunities for students from different backgrounds to live together. The implementation of such policy will require shifting from the current decentralised system, in which room placements are decided upon by the residence committee, to a centralised system, in which placements are determined by the Residence Office. Placement could be done either by random allocation, as UCT and RU have done, or via a process of 'constituting the residence' (based on the American notion of constituting the class), based on an agreed set of criteria. The centralisation of room placements should not necessarily impact on the principle of student participation in the process, as residence committees would still have a substantive role to play in the day-to-day running of residences.

(ii) The centralisation of the placement system should be accompanied by the establishment of stringent monitoring systems to ensure that students are not able to subvert the policy by moving rooms after allocation, and with the assistance of the residence manager and committee. This is not to suggest that moving rooms should be entirely disallowed. However, it should be done within strictly defined guidelines, which will ensure that moving rooms is not the norm, but that it is only allowed under exceptional circumstances.

(iii) The Minister should give consideration to leveraging resources to enable the building of additional residences. This is necessary to address the issue of need, in particular the shortage of residence places in historically black institutions that cater for the large majority of poor students, combined with the fact that many of the residences at these institutions seem to be in a poor state of repair.

(iv) The structure and election procedures for residence committees should be reviewed, with a view to putting in place processes that would ensure that residence committees are representative in terms of race.

(v) Institutional employment equity plans should ensure that the composition of the residence managers is demographically representative.

(vi) The training programmes that are presented for residence staff and residence committees should be reviewed, so as to ensure their appropriateness and relevance for sensitising the trainees to diversity in the context of institutional policies and national goals.

(vii) The organisational and governance structure of residences should be reviewed, in order to ensure that the power and authority that senior students have over junior students are removed. This should not, however, preclude the residence committee from assigning responsibilities for specified duties that students are expected to perform to ensure the smooth functioning of the residence. However, it is important to clearly specify the duties that residence members have to perform, and to ensure that these are distributed across senior and junior students, i.e. there should not be duties that are specifically assigned to students because they are in their first year.

(viii) All initiation ceremonies and activities should be banned, irrespective of whether the activity causes bodily harm or not. A toll-free (and anonymous) complaints line should be established to allow students to register infringements of this policy. The punishment for contravening such policy should be expulsion from the institution.

Chapter 6:

Staff and Students: The Knowledge Experience

6.1 Introduction

A key element in the broad interpretation of transformation, as indicated in Section 2.1, is epistemological transformation, i.e. 'how knowledge is conceived, constructed and transmitted (Hall 2006). It could be argued, given that the primary function of higher education is the production and transmission of knowledge, that epistemological transformation is at the heart of the transformation agenda. And at the centre of epistemological transformation is curriculum reform - a reorientation away from the apartheid knowledge system, in which curriculum was used as a tool of exclusion, to a democratic curriculum that is inclusive of all human thought.

The fact that the Reitz incident took place, and the recent NWU Facebook incident, suggests that institutions have made limited progress in addressing curriculum reform. As a Vice-Chancellor at Wits University argued:

> Reitz is not offensive because of racism, [but] because it indicates that institutions are graduating students with their views unchallenged. The institution has failed them, irrespective of how good they may be academically. Institutions need to address student prejudices and to help them to explore and understand these. (Wits meeting with management)

It was suggested at various institutions that the prevalence of racism and other forms of discrimination should not come as a surprise, as institutions are a 'microcosm of society'. This is no doubt true at one level, but it begs the question: Is the role of higher education simply to reflect and reinforce the prevailing views of society, or is its role to challenge and question prevailing wisdom? It cannot but be the latter if higher education is to contribute to the production of new knowledge. One of the purposes of higher education, as White Paper 3 states, is:

> To contribute to the socialisation of enlightened, responsible and constructively critical citizens. Higher education encourages the development of a reflective capacity and a willingness to review and renew prevailing ideas, policies and practices based on a commitment to the common good. (White Paper 3: 1.3)

The White Paper goes on to argue that one of the challenges that higher education in South Africa faces is this:

> Higher education has an unmatched obligation, which has not been adequately fulfilled, to help lay the foundations of a critical civil society, with a culture of public debate and tolerance, which accommodates differences and competing interests, It has much more to do, both within its own institutions and in its influence on the broader community, to strengthen the democratic ethos, the sense of common citizenship and commitment to a common good. (White Paper 3: 1.4)

In line with the White Paper, there is a growing awareness that the role of higher education institutions is, in fact to 'provide intellectual leadership to society', including combating the impact of negative social views. As the Vice-Chancellor of UP argued:

> We can't control the impact of social views and tendencies within the University but we must combat them by providing intellectual leadership to society. We must ensure that our graduates are equipped to deal with negative issues and social evils and, through this, contribute to effecting larger social change. (UP meeting with management)

The contentiousness of notions such as the 'public good' and 'social change' in determining what counts as high quality research and knowledge production has been demonstrated in two key incidents in the academy in the last fifteen years, namely the Mamdani Debate at UCT and what has come to be known as the Makgoba Affair at Wits. The former issue is referred to on a number of occasions in this report. The latter requires brief mention if only to emphasize how contested the terrain of knowledge production is and how easily struggles over ideas and intellectual positions assume a racial character. In challenging the basis of his detractors' critique of his academic record Professor Makgoba suggested that his problems with the predominantly white establishment at Wits began when he suggested that the transformation of the University, and by extension all white liberal universities, would entail challenging Anglo-Saxon ways and values, values which had worked well to serve the white minority to the disadvantage of the black majority. Without entering the merits of the arguments made by Professor Makgoba and the Wits establishment he found himself up against, it was clear, nonetheless that racial anxieties were an ever-present element in the conflict. The conflict attracted the attention of then President Thabo Mbeki who described it as follows:

> (it) is representative of a specific sector in a broad front of a 'general' struggle for fundamental reconstruction of South Africa... a struggle between the new and the old, the contest between the forces and processes which seeks to conserve and its opposite, which strives to renew (Makgoba, 1997:vii).

In this context, the two key questions are: (a) whether the curriculum has been transformed to play its role in contributing to the socialisation of students in accordance with the values of the Constitution and the associated project of nation-building, which is understood to be creating a common identity within the framework of diversity; and (b), linked to this, is the question of whether the language via which the curriculum is transmitted, is suited to enabling a transformed curriculum to effectively play its role. It is these two questions that constitute the focus of this chapter.

6.2 Curriculum Transformation

The growing awareness of the need for higher education institutions to 'provide intellectual leadership to society', including the recognition in some institutions, as raised during the Committee's visits, of a need for epistemological transformation, has not translated into any significant shifts in the structure and content of the curriculum to date. In fact, the curriculum was not discussed in most of the institutional submissions and, in the few instances when it was, it merited at best an acknowledgement of its importance and the discussion of specific but limited interventions. More often than not, where the relevance of the curriculum was raised in the context of institutional responsiveness to national goals and objectives, it tended to be narrowly defined in terms of the skills and competencies required by graduates in a technical sense, rather than a deeper engagement with the social, cultural and political skills that are essential if graduates are to function as "enlightened, responsible and constructively critical citizens".

This is not surprising, as epistemological transformation, according to one academic, "goes further than the

curriculum; it is about *a priori* assumptions and a world view" (NMMU meeting with staff). In this sense the curriculum is inextricably intertwined with the institutional culture and, given that the latter remains white and Eurocentric in the historically white institutions, the institutional environment is not conducive to curriculum reform. And it is certainly not conducive to the Africanisation of the curriculum. As Mahmood Mamdani, in response to the resistance to his attempts to restructure the African History course at UCT in the late 1990s, has argued, this is because of:

> South African exceptionalism, a widely shared prejudice that South Africa may be a part of Africa geographically, but not politically or culturally, and certainly not economically (Mamdani ,1999: 132).

This is confirmed by an academic at Wits:

> Africa without the Africans, which is what South Africa (is) …The new African Renaissance, where are the Africans in that? (Quoted in Adam, 2008:4)

However, it is more than a case of exceptionalism. It is based on a particular notion of what constitutes knowledge, and on an approach that fails to problematise the idea that particular conceptions of the Western tradition constitute the only basis for higher forms of thinking. This is graphically illustrated in the approach to philosophy at Wits:

> (Philosophy) as yet does not have a course on African philosophy. Now that's partly because of the nature of philosophy, which does not have any course in any denomination of philosophy. We don't do Indian philosophy, we don't do Jewish philosophy, and we don't do African philosophy. We just practice philosophy in the classical, analytical, Western tradition, which is sceptical-based rather than building up, as it were, theories about what particular people might have thought about (Quoted in Adam, 2008:7).

It is interesting to note in this regard that an American philosopher, based at Wits has initiated a research project on the role of Ubuntu as a moral philosophy, which he suggests he undertook because it was important to affirm local knowledge (Thad Metz, Acting Head of Department of Philosophy, Seminar at the Wits School of Education, October 2008).

As Mamdani has noted, the fact that the writings of African intellectuals were missing from the UCT African History course was a reflection of the continuing legacy of the colonial mindset. Since colonial and apartheid times there has been a mindset within academia that has, in its crudest form, regarded intellectual activity as the preserve of white scholarship and the indigene as performing mundane functions. As Mamdani puts it,

> …[that] natives can only be informants, and not intellectuals, is part of an old imperial tradition. It is part of the conviction that natives cannot think for themselves; they need tutelage (Mamdani, 1998: 71).

The resistance to Africanisation is often advanced under the guise of a spurious argument suggesting that the debate is not about privileging Western scholarship, but rather emphasizing the universality of knowledge. In this regard one Wits academic states:

> I absolutely agree, make the course less parochial, make it less European if you like. *But that don't necessarily mean Africa only*. Because I think that makes certain ideological assumptions, which I am not absolutely happy to buy into (emphasis added by authors Quoted in Adam, 2008: 7).

The fears and anxieties of some sectors within academia with regard to Africanisation were captured by a staff member at UKZN:

> Africanisation is incorrectly understood to mean kicking whites out. Pushing the notion of an African university has caused some alienation of staff (White and Indian) (UKZN meeting with staff).

However, a careful review of the notion of Africanisation, will reveal that it does not exclude other knowledge systems but is rather an expression of the desire to be inclusive. As Chabanyi Manganyi has argued in relation to the notion of an African university:

> When I talk about African universities … it should be clearly understood that I am not referring to an ethnocentric particularism of the kind that is common in South Africa today, but rather this: that all South African universities will hopefully begin to see themselves as being in Africa and of Africa (Manganyi, 1981: 160).

This, of course, does not mean that African universities will ignore other knowledge traditions. The starting point of the Africanisation of the curriculum is the importance of affirming and validating, as opposed to marginalising knowledge that is based on African views of the world and systems of thought. This, however, does not mean making them the exclusive focus of the curriculum in the ethonocentric-particularist manner of Eurocentric approaches.

Indeed, the local context must become the point of departure for knowledge-building in universities across the world. They are situated within specific environments that they have to relate to in vigorous and constructive ways for purposes of growth and development. In this sense, they are responsive to a national imperative. In short, they have to be responsive to the needs of their societies in effective ways. That is what Africanisation is intended to mean. It does not mean neglecting the global context and the right of everybody everywhere to have full and unfettered access to the universal store of human knowledge.

The impact of an untransformed curriculum on teaching and research, and the hidden racism that results from this, is captured in the input of a lecturer in the Faculty of Education at UKZN, which is titled, *The subtle violence of epistemic constructions*:

> I want to approach the issue of racism at university from a different stance. Not the overt forms that are easily recognisable, but the insidious forms that masquerade as legitimate endeavours in the production of knowledge.
>
> 1. For example in the Faculty of Education the preparation of teachers involves theory and practice. Theorisation of pedagogy involves clarification with exemplars of 'good practice'. This often takes the form of villainising some kinds of schools (Black Schools) whilst valorising others (White Schools). There is a reductionist mentality that links race to competence, performance,

organisational structure and culture. Thus White schools are 'functional' and all Black schools are 'dysfunctional'. Students who listen to such discussions are assailed with notions that attack the foundations, values and knowledge that enabled them to access higher education. The practical component, which entails placement in schools for teaching practice is also influenced by the rhetoric of 'functional/dysfunctional' schools. Often, the loudest and most vociferous voices from 'functional' schools appear to drive curriculum content to meet their needs (perfect lesson plans, making 'beautiful' and 'neat' resources, delivering perfect lessons) rather than dealing with the complexities of pedagogical work that is context bound to political, social, cultural, and economic issues, to name a few.

2. A second source of epistemic violence is the uncontested area of research focus. Much of the research undertaken at master's and doctoral level in education focuses on the 'deficits' of Black schools. There is an assumption that everything is fine in White schools. Furthermore, access to researching white schooling is not possible for Black researchers (Responses from the School of Education Studies, UKZN 2008).

Similarly, at VUT, it was suggested that black students were failing Fine Art because the curriculum did not relate to their life experience and, when this was changed, for example with the projects in sculpture based on indigenous themes, they excelled (VUT meeting with staff).

The fact that epistemological transformation and curriculum change in the deep sense have not occurred, should not be interpreted to suggest that there has been no progress in this area. This is reflected in four types of interventions, highlighted in the submissions, which point to different ways of understanding how the transformation agenda impacts on the curriculum.

Firstly, there are examples of changes designed to address concerns about the 'relevance' of the curriculum. Examples of this type of intervention include "the realignment of the MB ChB curriculum to emphasise primary health care", and the introduction of a core course in African Studies, which focuses on seminal texts in African thought (UCT 2008: 7); courses which address issues of diversity and discrimination in fields such as social work, education and nursing (UKZN 2008: 15); and the mainstreaming of HIV/AIDS into the curriculum (UNISA 2008). At a more fundamental level, UNISA aims to Africanise 50% of its curriculum and Fort Hare is developing a first-year 'rounding Course', which will be compulsory for all students, and which has the following objectives:

- To provide UFH undergraduates with a critical and de-colonising framework in which to see and understand the world, the Continent and themselves.
- To provide a progressively rigorous, responsible and compassionate basis for gaining and applying their knowledge and energies to the world.
- To provide students with a deep understanding of the principles of Ubuntu, democracy, liberation and decolonising knowledge.
- To provide UFH students with the confidence to engage in lives of authenticity and dignity linked to the creation of dignified lives for others.
- To provide students with a road map about how to use the University space to consolidate their own access to meaningful knowledge, including inculcating a reading and writing culture within the university.
- To provide students with an experience of building a diverse, caring and intellectual community

of purpose.

- To provide UFH students and academics with an experience of diverse and humanising pedagogies, as a basis to both support and demand wider curriculum renewal in the University (UFH 2007: 3).

Secondly, there is the introduction of community service programmes, which CPUT argues "advance social development and social transformation agendas" (CPUT, 2008: 2). Examples of such programmes include law and health clinics and school enrichment programmes for learners and teachers.

Thirdly, the provision of extended curricula and foundation programmes, as discussed above, to address the 'deficiencies' of students who are 'under-prepared' or 'non-traditional', entering specific courses, is important. Fourthly, and this is not directly linked to curriculum change but could impact on it, there are programmes, as indicated in 2.5, which promote debate about equity, diversity and social justice.

6.3 Language Transformation

Language is the key to understanding oneself; it is the key to understanding others; and language mastery is the window to success in life – certainly in education. In essence, language affirms the individual; and it serves as a means of communication and, therefore, facilitates social cohesion. Its benefits are felt at both the individual and social level. Success in life and in education is organically related to language mastery. However, there is a prevailing tendency to be dismissive or sceptical of the seriousness of the language question.

> The language issue is … at the heart of the education crisis in our society. Language is the gateway to culture, knowledge, and people. The more languages one masters, the more one has access to other cultures, to more knowledge, and to more people… [It] must be stress[ed] that the mastery of [the] language in which the subject is taught is the prerequisite to the mastery of subject matter.
>
> To this extent, the Eurocentric character of our education, at the heart of which has been the use of European languages, has constituted a barrier to the successful education of the masses of African people. The African student has to make the acquaintance of the subject through a language [that is] not his or her mother-tongue. If the African student did not master the particular foreign language in childhood, alongside mother tongue, then the foreign language in which instruction proceeds becomes a tension-generating factor, for most students, which interferes with the mastery of the subject matter (Vilakazi, 2002: 50).

The role of language is therefore critical to higher education transformation, as it impacts on access and success, affirms diversity, while the right of a student to "instruction in the language of his or her choice, where this is reasonably practicable", is afforded by the Constitution. It is no wonder then that language policy is the subject of contestation in higher education institutions. In this regard, all institutions are committed to multilingualism in one form or another, including the development of African languages as academic languages, and the introduction of African languages as languages of communication. However, more often than not, this commitment remains symbolic, as a range of factors, such as the availability of qualified staff, finances and student interest militate against the full implementation of multilingualism. It should be noted though that there is also opposition at different levels and of varying intensity to the acknowledgement of the significance of mother tongue mastery in

academic success. There is a substantial body of research that suggests that there is a strong correlation between mother tongue instruction and success in academic performance (Alexander 1989; Hughes 1999, 2000; Brock-Utne 2006; Langehoven 2005; UNDP 2004: 60-65; Brock-Utne, Desai & Qorro 2006).

In terms of language of instruction, there are three options in use. Firstly, in the historically English-medium and black institutions, English is the default language of instruction. It could be argued, as indeed UCT acknowledges, that this 'may be a basis for unfair discrimination', given that black students and staff are not first-language English speakers (UCT 2008: 5). This impacts on both the academic performance of black students, as well as on their social integration into the institution, as the CHE (2006) study at Wits found:

> When I came to Wits my English was very poor and even now my English is still very poor and so the use of terms and terminology was very difficult for me to understand (p. 1: Science student 01.doc - 1:2 [149:155]).
>
> To be honest, I just listen, that is what I have learnt to do after coming from the matric, being surprised because of the environment, and you see some kids having a nice time during lectures. And on the other hand here you are struggling to conceptualise what is being delivered in the lecture and catch each and every English word, that itself is a challenge to you (p. 2: Science student 03.doc - 2:5 [103:105]).
>
> Yah, definitely it was an issue. I also think because I went to a rural school where you hardly speak English unlike in private schools and in Joburg here where you speak English most of the time and some things are … easier for you to understand. In rural areas they teach you biology in your home language, they teach everything in your home language and the only time you learn in English is when they teach you English… Yah up to high school. You know they always encouraged you to speak in Venda and wanted to accommodate everyone but at the same time I think it was bad for some of us. I remember in first year when I wrote my essays, I would be told to consult the Writing Centre… Yes I didn't like it, I just felt like I knew how to speak and write English, so why now the Writing Centre. It did not feel good and I just blamed my high school for it. Moreover in first year I was doing Acting and Acting is more about dialogue and I had to make sure that I pronounce words they way they are supposed to be pronounced so that the sentence means the same thing that it was supposed to. So I had to go through that process of being told how to pronounce words and such things. There is something they call a Wits lingua, they try to make everything, I don't know whether to say romantic! You know when a Wits student is speaking; you will know that this one is from Wits (p. 23: Humanities student 16.doc - 23:6[42:48]).
>
> Basically I was studying at Dinoto High School and the language that was mostly used at that school was Sesotho and Zulu. So I applied to Wits and was admitted. The experience of being accepted to the university was wonderful. When I got to Wits, the language used is English and coming from the background where I come from, speaking English was quite difficult. So what I did was to put myself under the pressure of having to read books and trying to communicate with people as much as possible. Another problem that I had was to interact with people and to create social bonds because I was not feeling confident with my language. So what was happening was I was spending most of my time alone and could not share most of my academic experiences with other people. That year was not good for me because that year language was a serious issue for

> me. Coming to my academic performance as well, language really hampered my performance. Like I would go to classes and would understand my work but when it came to writing and expressing myself, it was quite a difficult thing. I'm a hard worker, but I was demotivated because I would work hard and because of the language problem, my results would come out as average although I never had that thought of dropping out of school (p.26: Humanities student 19.doc - 26:1 [18:18]).

The advantage of being a first-language speaker is clear as the following interviews from the study indicate:

> Obviously English is my home language and I think it makes such a big difference because even if I have no clue where I want an essay to go or what I'm really writing, I can sit and put down ideas that sound eloquent and sometimes you can get away with it, if an essay sounds eloquent enough, people won't look under the surface to see whether it is solid or not. So language helps in bringing your ideas together and make(s) your essay flow, so I think it helps to be coherent. (p.17: Humanities Student 10.doc - 17:2 [94:94]).

> Compared to some of my colleagues who don't have an English background that's as good as mine 'cos it's not their first language, and I know that they do more work than me, but I do better 'cos I have more experience in English and they don't. So I think it's quite an advantage to have English as your first language (p. 33: Humanities student 28.doc - 33:1 [74:74]).

> It definitely does, because like in terms of say structuring and how you express yourself, sometimes I feel sorry for students who come from Bantu education schools, because they may have an argument which has substance but because they don't have the right words with which to articulate themselves, they end up getting lower marks. So at the end of the day the school you come from really matters (p.14: Humanities student 07.doc - 14:8 [107:110]).

There is general recognition that those who are not first-language English speakers are at a disadvantage, both in the academic sphere and in dealing with administrative tasks and social situations. This is addressed via a variety of mechanisms, including:

- The provision of support in the form of English language courses, which are either offered in extended curricula (or foundation) courses, or in additional language tutorials.
- The introduction of an African language – usually the dominant regional language, as a language of communication for administrative and marketing purposes.
- The provision of African language courses for communication purposes for staff and students.

It should be noted that the introduction of African languages as languages of communication, and the provision of African language courses, constitute a recent phenomenon and it is too early to assess their efficacy. However, their importance in facilitating integration and communication should not be underestimated:

> There is social segregation amongst the staff in the library and attempts by the white staff to mix is difficult because they don't speak an African language (RU meeting with management).

In addition, some institutions have formally committed themselves to developing African languages as languages of instruction. Thus, UKZN is committed to "the development and use of isiZulu as an additional medium of instruction", in the medium-to-long term (UKZN, 2008: Appendix 12), while CPUT goes further and recognises English, Afrikaans and isiXhosa as academic languages. However, the default language of instruction is English, but Afrikaans and isiXhosa may be used, "provided that such usage does not limit access", but seeks to support students with additional material in other languages and to encourage staff members to become proficient in other languages (CPUT Language Policy: 2-5). RU has introduced isiXhosa (elective) credit-bearing courses for Pharmacy and Law students (RU, 2008: 47-48). The reason for the latter is to make better professionals out of students:

> The teaching of basic isiXhosa language skills as well as cultural awareness to Pharmacy students is motivated by the desire to produce better pharmacists who are better able to communicate with their patients and to understand relevant aspects of a patient's cultural practice which may affect treatment regimes, compliance with medicine-taking and availability for treatment. This is a very good example of the way in which paying serious attention to diversity and embracing its challenges fosters excellence in our practice where it did not previously exist. *Excellence is here an outcome of the embracing of diversity rather than being seen in tension with the requirements of diversity* [emphasis added.] (RU, 2008: 47).

Rhodes has also introduced isiXhosa teaching materials for Computer Science, as well as a multimedia language facility, which enables African language-speakers to operate computers in their mother tongue. The purpose of the latter is to facilitate both access and success, but it is also as a way of increasing the status of African languages:

> The main goal of this intervention is to promote a sense of dignity among isiXhosa speakers and a spirit of language re quality within the institution … It is a practical way to change the image of the University and make isiXhosa-speaking students feel that their language and culture is fully accepted and supported (RU, 2008:48).

Similarly, UCT has launched a Multilingual Education Project (MEP) to support multilingualism, which involves compiling glossaries of academic terminology in Law, Medicine and Science, translated into Afrikaans and isiXhosa, as well as creating Wikis of academic texts in African languages (UCT, 2008: Attachment 4).

Secondly, in the historically Afrikaans-medium institutions, excluding Stellenbosch and NWU at its Potchefstroom campus (further discussion of these two institutions follows below), either a parallel medium or a dual medium language policy is in place. The parallel medium language policy, which is used at UFS, is based on teaching in both Afrikaans and English in separate classes. It has been suggested by one submission from a member of staff that, at UFS this policy discriminates against black students, as the English classes are usually held in the late afternoon and on Saturdays. The University claims, on the other hand, that the only English classes held in the evening and on Saturdays are for those courses, such as Law and Commerce, which are targeted at working adults (UFS meeting with management).

Furthermore, it has been suggested that, in cases where classes are held in English only, because Afrikaans students are in the minority, the latter are provided with translation services, which are not provided to black students for whom neither English nor Afrikaans is a first language. There seems to be a general perception amongst black students that Afrikaans-speaking students are favoured in class, even when institutions, such as NMMU and CUT, which are former Afrikaans-medium institutions, have adopted English as the language of instruction:

> Afrikaans-speaking whites are favoured in class even though the language policy is English (NMMU meeting with students).
>
> The language policy recognises English, Afrikaans and Sesotho. There are lecturers who teach in Sesotho. This is discriminatory because all students pay the same fees but whites can attend either English or Afrikaans classes. In three schools – Engineering, Fine Arts and Hospitality, the lectures are only presented in Afrikaans (CUT meeting with students).
>
> Can there be equality if a lecturer who is proficient in Afrikaans only also has to teach in English or if there are different English and Afrikaans lecturers for the same course? (UFS meeting with management).
>
> The language policy is the main obstacle to transformation because it divides the students (UFS meeting with staff).
>
> There is a need to move away from the parallel medium language policy because it entrenches racial divides. Leave it to the lecturer to decide on the language of instruction and provide simultaneous translation and tutorial support (UFS meeting with unions).

The dual medium policy, used at UP, is not without its problems, as the HEQC Audit suggests:

> There is no doubt that the change in the language policy at UP is largely responsible for the university's ability to expand access and increase the diversity of its students, and to some extent, staff profiles. Despite these changes, the issue of language remains highly problematic and presents an acknowledged risk to the university (no. 4 in the 2006 Risk Register). The Panel heard of the "difficulties experienced by faculties, schools and departments in complying with the policy".
>
> Some lecturers cannot teach in both languages and this typically leads to an overburdening of staff members who can do so. At the same time, while there is a need to appoint academics who can teach in both languages, there is an employment equity plan which may in effect mean there are not enough people in the designated groups that can teach in Afrikaans. This presents a further challenge to the university both in terms of human and financial resources. Furthermore, the Panel heard during interviews with a range of staff and students that the implementation of the language policy is not evenly and consistently applied across Faculties and programmes, with some of the academic staff who were interviewed indicating that this impacts negatively on students success rates. The Panel also heard of instances in classroom practice [that] might be undermining g the policy and which result in the expression of discriminatory attitudes by staff and students. The Panel urges the institution to initiate an assessment of the language policy and its impacts on academic results, as well as the concrete experience of students inside and outside the classroom and their general experience of the university's institutional culture (HEQC 2008; 22-23).

Thirdly, Stellenbosch uses Afrikaans as "the default language of undergraduate learning and instruction" and as the 'default institutional language' (US Language Policy: 3). However, the institution claims that it is committed to a 'pragmatic, flexible approach' through expanding 'supplemental programmes' in Afrikaans, English and [isi]Xhosa, and to providing support services in isiXhosa (US 2008:6-7), as well as supporting the development of isiXhosa

as an academic language (ibid.: 3). In addition, Council permission is no longer required to introduce parallel medium instruction in courses where this is merited by practical considerations. The submission concedes that language is an intractable problem (ibid.: 13) and 'serious frustration and mistrust are still simmering' (ibid.: 29). Staff complained of the use of Afrikaans in meetings and student surveys confirm that they link language closely to success (ibid.: 30).

The underlying rationale for the US language policy, which is linked to the institutional culture and its impact on transformation, seems to be the subject of contestation between internal and external constituencies. The consequence of the policy, its negative impact on the access and involvement of black staff members and students, is captured in the HEQC's Audit report:

> The Panel had the impression that in the last few years issues of institutional renewal, openness and diversity have been paramount in the internal debates at SU and that the university has embarked on a transformation trajectory in all three core function areas (especially in relation to equity and access) in what the Panel hopes will be an irreversible journey. The medium of instruction has been a key issue in this regard, not only because language is in itself a fundamental component of the teaching and learning process but also because the issue of the language of instruction has had such a polarising effect among SU's constituencies. The Panel interviewed members of some of the institution's external constituencies who have a negative view of opening the institution to students and academics who cannot communicate in Afrikaans and its consequences for Afrikaans as a language and for Afrikaner culture as understood by this constituency. Underpinning this view is a conception of a university which still sees SU as a 'volksuniversiteit', i.e., as a higher education institution reserved for a particular cultural, linguistic and ethnic group. In clear opposition to this is a conception of universities as open spaces for intellectual and cultural exchanges, which as such have a vital role to play in a globalised world as the 'engines of the knowledge society', and encourage and support cultural, linguistic and ethnic diversity. Interviews with different layers of management, academics and students suggest that, with variations, most internal constituencies at SU agree that the latter conception of a university is the only one that will allow SU to contribute to the development of South Africa and the African continent, as stated in its Vision 2012, and to sustain and build on its tradition of high academic achievement (HEQC, 2007:55).
>
> Interviews with black academics indicated the role and noticeable impact that institutional culture and the use of Afrikaans as the language of communication in all committees and governance structures have in preventing new staff from fully participating in the academic governance of the institution, ranging from departmental meetings to committees of Senate (HEQC 2007:54).
>
> According to the CPS's [Centre for Prospective Students] report [*The Recruitment of Black (African) Students for the University of Stellenbosch*] recruiters managed to elicit interest among African students and some did enrol at SU. The enrolment of students with little proficiency in Afrikaans, however, brought to the fore the limitations that the current language policy presents, not only to the broadening of the community that can benefit from Stellenbosch's considerable academic reputation, but also to the delivery of good quality teaching and learning. According to the CPS's report, the fact that the new enrolments were not proficient enough in Afrikaans to engage successfully with academic courses, impacted on success and throughput rates at the institutional level. As will be seen in the teaching and learning section of this report, the institution

> has responded to some of these problems by developing a number of foundation courses and language support programmes. However, the Panel learnt that all of these language courses have as a point of departure that students must have enough basic knowledge of Afrikaans (HEQC 2007:49)

Similarly, NWU uses Afrikaans as language of instruction at its Potchefstroom Campus and provides a simultaneous translation service in English. However, the use of Afrikaans and English as languages of communication with translation services provided during meetings, has been raised as unfair discrimination by the NWU Staff Association, as it denies "others the right to discuss matters in their home language":

> The Afrikaans language issue as a language of communication in these governance units is so paramount that translation services during meetings are used, most of the time, to allow Afrikaans-speaking members to think and make their pronouncements in their vernacular.
>
> In recent institutional forum meetings ... the two translators who came from Potchefstroom campus could only translate from English into Afrikaans and vice versa. They could not handle seTswana or any other African language. *We presume that it is taken for granted that black staff members in these units of governance must be proficient in the English language and hence cut off from expressing themselves from the gut in their home language* (emphasis added) Meeting with UNW Support Staff).

It should be noted that historically Afrikaans-medium institutions acknowledge that the use of Afrikaans as a language of instruction not only acts as a barrier to equity, but 'may also impact on social cohesion within staff [structures]' (US, 2008: 24). And, importantly, the legal advice on language requested by Stellenbosch suggests that "policy that can be shown to act as a barrier will not easily withstand constitutional scrutiny" (ibid.: 30).

Finally, although English is the language of instruction at the historically black institutions, it seems that in some cases, such as the University of Venda, it is stated that lecturers teach in Tshivenda, which is also used for communication purposes by staff and students, which has the impact of excluding foreign students and staff members (UV, 2008:4).

6.4 Conclusion and Recommendations

The knowledge experience of staff and students, as reported here, indicates that, while there has been limited progress, epistemological transformation and the reconstructive function of the curriculum remain a key challenge. Furthermore, the technical focus of much of the discourse on curriculum change in institutions, with its emphasis on skills and competencies, is limiting. Therefore, it precludes challenging students, and facilitating their understanding of the current social and political context, and their role in contributing to addressing the challenges posed by a democratic society. In part, as staff at a number of institutions pointed out, the technical focus is driven by the state's emphasis on the production of science and technology graduates, as well as the instrumentalist approach of students who are only interested in pursuing programmes that focus on preparing them for the labour market:

> We need courses on diversity – for example, medical school students are no longer required to do Sociology. Law is linked to commerce. We need new and innovative first-year courses (Wits

meeting with staff).

We are under-estimating the role of the humanities and social sciences in social stability (UFH meeting with management).

However, if the curriculum is not infused with an ethical and moral imperative, linked to the social and political challenges of the day, the creation of a non-racial, non-sexist and just society will remain a dream deferred. In this context, higher education faces three challenges, as RU Vice-Chancellor Saleem Badat points out:

> First, how do we, through teaching, and research and related activities, teach 'good'? To put it sharply, how do we avoid becoming so captive of our own institutional brochures – extolling the virtues of the information literacy skills, competencies and outcomes that our courses and programmes produce, their compliance with the National Qualifications Framework, registration with the South African Qualification Authority – to the extent that the moral and ethical considerations of how and what we teach and teach towards is ignored and becomes an afterthought?
>
> Second, how do we produce professionals and researchers, who can think theoretically, analyse with rigour, gather and process empirical data and do all this with a deep social conscience and sensitivity to the diverse needs of our people and society? and
>
> Third, how do we, in short, produce young men and women who will personify good, and in this way ensure that in the years ahead the political, social and intellectual life of our country will not be banal, self-centred and mired in greed or desperate attempts at simply survival, but will be rich and vibrant, incorporating questions of social justice and intellectual and political action towards a humane society (Badat, 2001:3).

The lack of epistemological transformation is further reflected in the role of language in higher education. The observation that "the language issue is at the heart of the education crisis in our society" may be an overstatement, as there are many other factors that contribute to the education crisis. But the language issue is undoubtedly one of the main obstacles to academic success for the majority of black students. In the Committee's view, the language issue operates at two levels:

The first is at the communication level, i.e. the means by which institutional information is distributed internally and externally, and in conducting meetings. While most universities have formally adopted multilingualism policies, an examination of their modes of communication, internally and externally, indicates that the practice is not evenly spread across institutions. Complaints abound regarding practices at meetings where Afrikaans, for example, is used when some of those in attendance do not understand the language.

The second, and more important level, is in the form of language as a medium of instruction. This is where the most pernicious epistemic violence is committed. What should be of major concern, however, is not that there are non-English-speaking or non-Afrikaans-speaking students who have sufficient mastery of the de facto language of instruction, but rather that there are unacceptably large numbers of students who are not successful academically because of the 'language problem'. They fail, not because of a lack of intelligence, but because they are unable to express their views in the dominant language of instruction. This leads to a great deal of frustration and alienation, as the students views outlined above forcefully demonstrate. The cumulative consequences of all this is illustrated

by the prevailing poor quality of relations amongst various constituencies in many institutions.

The success of the transformation agenda in higher education will, in the end, stand or fall on the altar of epistemological transformation, as this speaks to the core function of higher education in relation to teaching and research. In the light of this, the Committee makes the following recommendations:

(i) Institutions should initiate an overall macro review of their undergraduate and postgraduate curricula, so as to assess their appropriateness and relevance in terms of the social, ethical, political and technical skills and competencies embedded in them, in the context of post-apartheid South Africa and its location in Africa and the world. In short, does the curriculum prepare young people for their role in South Africa and the world in the context of the challenges posed by the 21st century?

(ii) The introduction of a common and compulsory first-year course for all students, introducing them to the challenges of South Africa, Africa and the world. This is along the lines of the UFH Grounding Programme referred to above. A common first-year course may well be best suited to the introduction of a four-year undergraduate diploma and degree, as recommended in Chapter 4. However, it should not be dependent on the latter.

(iv) The Minister should initiate a broad review of the obstacles hindering the implementation of effective language policies and practices, including a study of the application of equitable language policies and practices in other multicultural countries.

(v) The Minister should establish a mechanism to monitor the application of language policies and practices.

(vi) The Minister should request institutions, as part of the institutional planning process, to indicate how they intend to give effect to their commitment to multilingualism and, in particular, the development of African languages as academic languages and as languages of communication, including time frames for implementation.

Chapter 7:

The Governance Experience

7.1 Introduction

A precondition for the successful transformation of the higher education system is, as White Paper 3 argues, the "transformation of the structures, values and culture of governance" (White Paper 3: 3.1). This is of critical importance, as governance is at the centre of the policy-implementation nexus, i.e., its role is to 'chart and steer' higher education institutions, in order to enable them to contribute to meeting national policy goals and objectives. And the manner in which this is done is largely left to institutions to fashion. As the White Paper states in relation to institutional governance:

> It is the responsibility of higher education institutions to manage their own affairs. The Ministry has no responsibility or wish to micro-manage institutions. Nor is it desirable for the Ministry to be too prescriptive in the regulatory frameworks it establishes. Diversity and flexibility are important aspects of institutional responses to varying needs and circumstances. (White Paper 3: 3.33)

In this context, the fact that there is a gap between policy and implementation with regard to issues of transformation and discrimination, as was discussed in the Introduction, suggests underlying weaknesses in governance arrangements that need to be addressed. The nature of the weaknesses, which cut across the established governance structures in higher education institutions, is discussed below.

7.2 Council

Higher education institutions are governed by a council established in terms of the Higher Education Act (Act No. 101 of 1997, as amended), which takes overall responsibility for the institution. As the White Paper states:

> Councils are the highest decision-making bodies of public institutions. They are responsible for the good order and governance of institutions and for their mission, financial policy, performance, quality and reputation. To sustain public confidence, councils should include a majority of at least 60 per cent of members external to the institution. Councils ought not to be involved in the day-to-day management of institutions as that is the responsibility of their executive management, led by the vice-chancellor, rector or principal, who in turn is accountable to the council. (White Paper 3: 3.34)

> The transformation of councils through a participative democratic process involving all relevant and recognised stakeholders is a critical first step in creating strategies for the transformation of institutions. Transformed councils that enjoy the support and respect of all stakeholders will then be able to play an effective role in establishing the necessary policies and structures for the transformation of institutions. (ibid.: 3.35)

And it is precisely in relation to the role and composition of councils that a key weakness could be identified in the governance arrangements of higher education institutions. It became clear in the course of the institutional visits that, with a few exceptions, the leadership role of council was limited, if not non-existent. Indeed, the overriding impression is of councils that have a prescribed vision, provide little or no leadership and strategic direction, and have weak management accountability measures in place. In short, they have abdicated their leadership role to management and seem to have, in the main, become conveyor belts for ratifying policies submitted by management. This was graphically portrayed by constituencies at one institution, where it was claimed the 'Council was owned by management'.

As the Chair of one Council indicated, Council 'plays a passive role' in policy issues, including those regarding transformation. This was evident from the fact that, in the majority of cases in its meetings with the Committee, councils appeared to be led by their vice-chancellors and/or other senior managers at worst. And even more glaring, another Council Chair, while arguing that Council was not a 'rubber-stamp' for management and was aware of all the issues confronting the institution, indicated that he was not sure of all the facts raised in the institutional submission, which suggested that discrimination was rife in the institution, as he was not aware of some of the issues raised.

The highlighting of the passive role of councils should not be interpreted so as to suggest a call for the micro-management of institutions by councils. However, it is incumbent upon councils to provide leadership and strategic direction, so as to ensure that their institutions' mission and strategic plans are aligned with, and contribute to meeting national policy goals and objectives. The latter is essential to guide the day-to-day management of the institution and to enable council to perform its role of overseer by means of clearly defined performance targets and indicators. As one member of an active and engaged Council indicated: The role of Council is best described as 'nose in but hands out' (UJ meeting with Council).

The 'nose-in' approach, which involves giving direction and setting targets, can be illustrated in the case of UJ where, for example, there is apparently a council directive that the institution should ensure equality between the different campuses and that this should go beyond a narrow focus on infrastructure, to also include programme equality. This suggests that the UJ Council is aware of, and has engaged with, the underlying goals and objectives that guided national policy relating to the restructuring and transformation of the institutional landscape of the higher education system, which is essential if Council is to provide strategic direction and ensure the accountability of the institution.

Further evidence of the UJ Council's role in providing leadership and strategic direction, was made clear by the fact that it was the only Council that directly raised a range of issues with the Committee, related to discrimination and transformation issues that the institution needed to address, including, the role of different institutional cultures; the subtle nature of racism – 'victims can smell it a mile away'; the need to complement the academic programmes with social programmes, focused on promoting human dignity; the transformation of the academic architecture of the institution within the context of the merger; the difficulties of implementing a new language policy – "there is a 'general dance' around language and an unwillingness to compromise"; the non-negotiability of integration, including 'forced' integration if necessary; and the role of the Institutional Forum (IF), which has been paralysed by its status as an advisory body to Council (UJ meeting with Council).

However, the fact that, with a few exceptions, councils are unable to provide leadership, suggests that they either lack an understanding of, and have not been provided with the requisite induction and training to effectively

discharge their role and mandate, or that they lack the basic competencies and skills to do so. In this regard, a research report on governance, commissioned by the CHE, found that institutions with well-functioning councils, in particular with regard to setting the institutional policy agenda, displayed the following characteristics:

> The socio-economic background of their Councillors varied considerably from institution to institution: leading business and corporate figures at a national level, people influential in political and cultural fields at the municipal level, senior members of professional and business organisations, and leaders of local communities with strong roots in populations traditionally served by their institutions. Whatever their background, Councillors identified strongly with their institution, were enthusiastic about its goals and ambitions, and supportive of its Executive … had strong definitions of their missions and purposes, that were buttressed by one or more of: a strong sense of institutional identity, historical roots in particular communities, identity with geographic region, and association with professions and vocations. They all had well-developed, open and inclusive processes for strategic planning, clear and well implemented budgeting processes, and a high consciousness of national policy developments in higher education (Hall et al. 2002: 70).

At first sight, this seemingly contradicts the Committee's finding of passivity and the lack of leadership on the part of the large majority of councils, including councils that fit the above characteristics. However, this may well reflect, especially in the historically white institutions, a low-level resistance to the transformation agenda. This is illustrated by the fact that, although there were apparently strong objections within the UFS Council to the introduction of a mixed residence policy, the policy was nevertheless pushed through as presented by management (UFS meeting with Council). This suggests that policies that may be unpopular are approved in order to comply with legislative and regulatory requirements, but with the full knowledge that, in practice, little attempt would be made to implement the policies or to ensure their success. The fact that the new residence policy at UFS, as discussed in Chapter 5, was not implemented, is indicative of this, as is the evidence of the lack of implementation of policies relating to staff equity in institutions in general. The acceptance of limited change, but 'only so far', i.e. as long as it does not fundamentally alter traditional, social and power relations, is suggested by Frederick Fourie, who recently resigned as Vice-Chancellor of the UFS, following the furore over the Reitz incident. Fourie has the following to say with regard to the role of the UFS Council and Senate:

> At times there appears to be a covert, unspoken agreement amongst some/many to approve and allow 'transformation' – as long as it doesn't change anything substantive, as long as it doesn't change established patterns of institutional culture, as long as it doesn't change established power relations and patterns of authority (2008: 6).

The low-level resistance in councils is especially evident in institutions that have strong 'historical roots in particular communities', namely, the historically Afrikaans-medium institutions. The identity of the latter is closely linked to the notion of the right of communities to 'autocthonous' education, i.e. education based on the cultural, language and religious values and norms of the community concerned. This is reflected in the close links between, and the active involvement of the community, namely parents, donors and alumni with the institution. And, at the heart of this link, is the idea of ownership, i.e., as a senior black staff member at UFS stated, the "white alumni believe this university belongs to them". The alumni, as a senior white staff member indicated, are the 'ghost in the background' and hold the University to ransom (UFS meeting with Council). They have played an active role in challenging and questioning the University's policies on transformation and, in particular, with regard to language and residences. Apparently, the alumni played a key role in instigating the FFPY on campus to mount a legal

challenge to the University's new residence policy. The role of the alumni is illustrated by the fact that Reitz, which had previously been closed down because of its anti-social behaviour in relation to other white students, was taken over and run by alumni.

The 'ghost of the alumni' seems to wander across the historically Afrikaans-medium institutions. Therefore, as with Reitz, there are also alumni-owned residences at UP, which do not comply with University policies and quite brazenly and publicly advertise themselves as whites-only Christian residences:

> If you are not a man, an Afrikaner and/or a member of one of the three Dutch Reformed sister churches, you are not entitled to accommodation in Huis Voortrekker, a Hatfield residence for students at the University of Pretoria. This is what the huge black letters on Huis Voortrekker posters on the lampposts in the streets surrounding Tukkies declare (News.24: 08/07/2005, quoted in the ANC Youth League 2008:2).

At Stellenbosch it was suggested that the alumni 'control everything' and are the major stumbling block to transformation. At NWU it was also suggested that the elections for the Convocation were manipulated to maintain the dominance of the graduates of the former (historically-white Afrikaans-medium) Potchefstroom University for Christian Higher Education. This was alleged by the North West Staff Association, which represents staff on the Mafikeng Campus

> (I) would urge that deep and serious questions be asked about how and why staff at the Potchefstroom campus of North West University were allowed to be so intimately involved with the process of elections of the Convocation of the entire University.
>
> Also … why … information about the process of elections of the Convocation has only been posted on the Potchefstroom Campus web page, and the same is not available on the Mafikeng and Vaal Triangle nor North West University web pages (North West Staff Association, 2008).

Apparently, the end result was that the Executive Committee of the Convocation comprises 39 white and three black members (NWU meeting with Staff Association).

The focus on resistance to transformation in councils in the historically Afrikaans-medium institutions, should not be interpreted to suggest that there is no resistance to transformation in the historically English-medium institutions. However, the key difference is that, in the historically English-medium institutions, the links between the institution and its roots in the particular community, although based on common social and cultural backgrounds, are not as closely linked to issues of identity, culture, religion and language, in the way that 'autocthonous' education defines and binds the institution and the community in historically-Afrikaans-medium institutions. In short, ownership is not an issue in the historically English-medium institutions. Similarly, it is not an issue in the historically black institutions where, with the possible exception of UFH, the bonds that bind the institutions to the community are non-existent, which has to do with their origins and lack of legitimacy as apartheid institutions.

In the context of the foregoing analysis, the key question is whether the 'roots in the community' approach, which is an important characteristic of well-functioning councils, could be reconciled with the transformation agenda in higher education, given the corollary that it has also spawned resistance to change. It is also important to note that the lack of 'roots in the community' has contributed to creating dysfunctional institutions, as the recurrent crises

in some of the historically black institutions bear testimony to. This dilemma is succinctly captured by Hall et al., who state:

> Such a sense of identity was not always benign, and in some cases there was nostalgia for the privileges of the past. But where such institutional identity was absent, Councils seemed to be subject to a greater degree of factionalism and to the play of individual interests (op. cit.: 113).

This dilemma can be addressed, as the key issue is not the principle of community roots, but how community is defined. The narrow definition of community, linked to particular social, cultural, religious and language norms, is clearly untenable. What is required is a broader definition, which defines community in an all-embracing sense, linked to the non-racial and non-sexist values in the Constitution. This broader definition of community also raises the issue of the composition of councils in terms of race and gender representation.

There is no doubt that progress has been made progress with council representation that is in line with the spirit of the Higher Education Act (Act No. 101 of 1997, as amended), especially as the Act does not specify numerical targets to be reached. Indeed, apart from specifying the internal/external breakdown, the maximum number of members, and the fact that the Minister will appoint a maximum of five members, the Act places the power of the actual composition of council in the hands of the institution. And it is precisely this flexibility and leeway that may have created structural weaknesses in councils, irrespective of their race and gender representation. This weakness relates specifically to the categories from which external members can be drawn. They include the convocation, the alumni association, donors, organised commerce and industry, local government, etc. The problem is that most of these categories remain predominantly white. The reason for this is, in part historical, in the case of the historically white institutions. It is also a critical issue that, even though there has been an increasing number of black alumni associated with these institutions, they tend not to participate in the convocation and in the alumni associations. This lack of black participation in itself is likely to be the result of their alienation and marginalisation from the institutional culture of the historically white institutions.

It has also been suggested that black council members, who raise issues relating to transformation, are marginalised and even voted out of office. Thus, apparently two black members of the UFS Council, who were outspoken with regard to the Reitz issue, have subsequently not been re-elected to Council (UFS meeting with Council). This is illustrative of the notion that 'natives' will be tolerated, as long as they know their place. And indeed, it was noticeable in some of the Committee's meetings with councils, that the black members present were often silent and did not participate in discussions. What this suggests is that, although important, demographic representation in itself is not sufficient to address councils that seek to align themselves with, and to be responsive to the transformation agenda in higher education. As one member of a Council stated: "Numbers alone don't matter and neither is it appropriate to appoint like-minded people … [more importantly, the appointees] must understand national policy and must set the tone" for the institution as a whole.

The role of ministerial appointees to council and their understanding of national policy have also been raised by student organisations in particular. And while this is the result of a narrow and incorrect understanding of the role of the ministerial appointees, i.e. that they are there to do the Minister's bidding, it does raise an important issue in terms of the criteria and quality of appointments. The criteria for appointment are specified by the Higher Education Act (Act No. 101 of 1997, as amended), which stipulates that council members "must be persons with knowledge and experience relevant to the objects and governance of the public higher education institution concerned" (Section 27, 7 a).

It seems clear that many members of councils, and not only ministerial appointees, probably fall far short of the required criteria. Given that it is unlikely that there are a large number of available candidates – ministerial or other – who meet the criteria, it is necessary to ensure that the appointees and council(s) as a whole are provided with training and support to enable them to discharge their mandate. Currently, apart from an annual meeting between the Minister and the chairs of councils to discuss higher education issues, there are no formal training programmes on offer and, although the DoE does facilitate training on a 'by-request' basis, there are few takers.

7.3 Institutional Forum

The Higher Education Act (Act No. 101 of 1997, as amended), (Section 31, 1), provides for the establishment of an Institutional Forum (IF) as an advisory body to Council. The role of the IF is to:

a) advise the council on issues affecting the institution, including:
   (i) the implementation of this Act and the national policy on higher education;
   (ii) race and gender equity policies;
   (iii) the selection of candidates for senior management positions;
   (iv) codes of conduct, mediation and dispute resolution procedures; and
   (v) the fostering of an institutional culture, which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning; and
b) perform such functions as determined by the council.

The inclusion of the IF in the Act gives effect to the principle of democratisation, which requires, as stated in the White Paper that:

> … governance of the system of higher education and of individual institutions should be democratic, representative and participatory and characterised by mutual respect, tolerance and the maintenance of a well-ordered and peaceful community life. Structures and procedures should ensure that those affected by decisions have a say in making them, either directly or through elected representatives. It requires that decision-making processes at the systemic, institutional and departmental levels are transparent, and that those taking and implementing decisions are accountable for the manner in which they perform their duties and use resources (White Paper 3: 1.19).

The genesis of the IF can be traced back to the demand for the establishment of Broad Transformation Forums (BTFs) in the early 1990s, to guide and steer the transformation of the higher education system. At the centre of this demand was the principle of co-determination, namely that institutional stakeholders should have decision-making powers. The White Paper recognised the important role that the BTFs could play in contributing to the collective development of the "agenda, timetable and strategies for transformation" (White Paper 3: 3.37), and proposed the establishment of a permanent institutional forum. This was given effect in the Higher Education Act (Act No. 101 of 1997, as amended), with one significant departure from the original demand of the student movement, namely that the IF was not given any decision-making powers, but that it be established as an advisory body.

It seems, however, that after an initial flurry of activity, the IFs have been marginalised and their role and status

eroded. They have either stopped functioning or, where they do function, their advice is ignored by council. As the submission by the Anti-Racist Network states:

> While many Institutional Forums have to some extent contributed to discussions and activities on transformation, they often appear to be lame ducks within institutions and have little power to influence Institutional Management or Council (Anti-Racist Network, 2008: 19).

The reasons for this state of affairs range from, on the one hand, increasingly assertive managements, who are not willing to brook any challenge to their prerogative to manage and determine the trajectory of change to, on the other hand, IFs that became vehicles for mobilising disgruntled institutional constituencies whose particular demands had not been met. This is compounded by structural flaws. According to Hall et. Al.:

> (There) was no structural connection between the two organs of governance, other than overlapping membership. In addition, while Council is obliged by the legislation to seek the advice of the Institutional Forum in specified areas (and can seek advice on wider issues if it so wishes), it is not obliged to report back to the Institutional Forum on whether such advice has been taken, and if not, why not. In several cases, members of institutional forums expressed considerable frustration at this lack of feedback, which made them feel that their participation in governance was without value (Op. cit.: 83).

However, as Hall et. Al. suggest, IFs can complement well-functioning councils, as they provide a platform where stakeholder views can be debated and negotiated and conflict mediated, thus enabling the council, which is constituted to promote the interests of the institution, to discharge its mandate free of narrow constituency interests. In addition, as they argue, "mandated participation is particularly important for student bodies" as:

> (Students) feel disempowered in Councils and Senates, where they are expected to master large and complex agendas, and where they are almost always in the smallest of minorities. In contrast, and because of this, students are almost always supportive of some form of institutional forum. They welcomed the opportunity to have larger delegations at the Institutional forum, and to meet other constituencies on an equal footing, rather than in a hierarchical relationship. (ibid.).

Indeed, the institutional visits suggest that not only students, but other constituencies, such as the unions and staff associations, as well as academics, junior, female and black academics in particular, feel equally disempowered and would welcome participation in an institutional structure such as the IF. If nothing else, it would provide a much-needed platform to air grievances and a space for dialogue and debate, which seems to be sorely lacking in many institutions. And it is actually not surprising that, with one exception, where a council member observed that the IFs were paralysed because of their advisory status, neither councils nor management raised the role of the IF in the course of their discussions with the Committee.

7.4 Student Governance

With regard to student governance, the key issue raised by institutions relates to the role of student political organisations in student governance. The overriding view seems to be that the dominance of student organisations, which are linked to political parties, results in 'narrowness and parochialism' (UWC, 2008) in dealing with student

issues, and fuels tension and conflict within the student body because of a lack of tolerance. The concerns raised are to a large extent influenced by the perception that student political organisations are too focused on national political issues and not on serving and/or representing the interests of students on campus.

In addition, in the Afrikaans-medium institutions, the main concern seems to revolve around the fact that student structures, which on many campuses are dominated by the FFPY, impede the transformation agenda, as students are mobilised to resist changes such as the integration of residences, the introduction of multilingualism, etc. Indeed, it has been suggested that institutional change processes are rendered useless because student political organisations are 'instructed by their principals' on what position they should take on particular issues. This precludes students from different social and cultural backgrounds from 'finding each other'.

In response, some institutions, such as UP, have introduced a new student governance model in which party political representation is not allowed. Therefore, at UP, election to the SRC is based on individuals, who are elected by means of faculty and residence structures. It is argued that this model cuts across racial, religious and party lines, avoids party-political conflict, as well as interference from 'the outside'. As stated in the UP submission:

> The model seeks to depoliticise student governance in an attempt to better address students' needs in particular and to eliminate the involvement of external political groups in the internal student affairs of the university (UP, 2008:16-17).

The institutional approach is captured in the PASMA submission, which argues:

> In regard to student representation and governance, the approaches of the former whites-only institutions can be characterised in two streams of approach. On the one hand, these institutions have sought to eliminate the active involvement of student political organisations who have managed to always give expression [to] and champion the interests, aspirations and frustrations of their constituencies without failure and betrayal in organs of student governance. On the other hand, in situations where the elimination of active and organised student political participation was not feasible or expedient, such governance structures have had their powers and influence curtailed in significant and drastic ways that leave the arena of student governance without worth and compel students to explore more confrontational means of drawing attention and requiring response to their grievances (PASMA, 2008: 13).

It goes without saying that the different student organisations are united in their opposition to student governance models that restrict the role of student political organisations. The FFPY argues that allowing SRC elections to be contested by student political organisations, provides a platform for overcoming differences, and that debating different viewpoints is of value, even if, in the end, there is no agreement. And, as the South African Students' Congress (SASCO) and other student organisations have argued, the exclusion of student political organisations from the SRC closes down a key channel for addressing national student concerns, particularly in relation to access, financial exclusions, etc.

It is arguable whether the depoliticisation of student governance would necessarily yield the end result desired by institutions. Indeed, it is likely to intensify tension and conflict between student organisations and management on the one hand, and between student organisations and non-party-political SRCs on the other. More importantly, however, disallowing student political organisations is an infringement of the constitutional right to freedom of

association and could be regarded as unfair discrimination.

However, notwithstanding the constitutional right to freedom of association, student political organisations are a reality and they are here to stay. They cannot be wished away by bureaucratic fiat and are an important training ground for building and strengthening democracy in broader society. What is required, therefore, is the establishment of mechanisms, including a Code of Conduct, to regulate the role of student political organisations in student governance.

7.5 Management

If the role of councils is to provide leadership and to perform the role of overseer with regard to good governance, the role of institutional management is to provide leadership, develop policies and strategies, and to oversee their implementation – in short, to oversee the day-to-day running of the institution. In the context of the transformation agenda in higher education and, in particular, the need to root out all forms of discrimination, institutional management must provide *transformational leadership*, which is focused on effecting deep educational change. This requires, as Shields (2008:2) has argued, that:

> … to be successful in achieving educational reform, transformative leaders require a robust understanding of dialogue, moral courage, and an activist understanding of their role.

The emphasis on dialogue, moral courage and activism is important, because the transformation agenda in higher education is not about systems and technical change, although this may be, and indeed is necessary. Above all it is about changing the underlying social, cultural and power relations that continue to define higher education institutions in ways that privilege an institutional culture that is white and Eurocentric, and which is intolerant and exclusive of any challenge to its hegemony.

It became clear in the course of the institutional visits that, although institutional managements in the historically white institutions are technically competent and run well-functioning institutions, with a few notable exceptions, they appeared to have difficulty in addressing social, political and moral issues (or what Mamdani, 1999: 131, refers to as the lack of 'social accountability') required to effect the deep-seated changes demanded by the transformation agenda. These challenges appeared to take a different form in some of the historically black institutions, in which technically weak managements are unable to confront and address the systemic deficiencies that constitute a legacy from the apartheid past. The lack of imagination is the key to understanding the gap between policy and implementation which, as suggested by RU in its submission (as discussed in 2.5 above), is the result of a lack of 'institutional will, willingness and capability'.

The lack of imagination and of dialogue and activism is reflected in three inter-related factors. Firstly, there is the quality of the submissions and the institutional inputs during the Committee's visits. As indicated in Section 1.3, the quality of the submissions was inconsistent, with the more comprehensive and reflective submissions tending to be provided by the historically white institutions. However, with a few exceptions, the latter were comprehensive and reflective in the narrow and technical sense of explaining the factors that impact on the ability of the institution to give effect to the transformation agenda, i.e. factors such as the competition for staff coming from the public and private sectors, the lack of preparedness of black students, which was due to the poor quality of schooling, etc.

These factors are not unimportant. But a deeper reflection would have gone beyond the technical and structural factors that act as a brake on transformation, and located these within the context of the prevailing institutional culture, as well as the social, cultural and political assumptions that underpin them, and how the latter impacts on the transformation agenda. This would have required an understanding of the fact that the technical and structural factors are important, not in of themselves, but because they point to a deeper malaise, in which the experiences of black staff members and students in historically white institutions appear to be characterised by a deep sense of alienation, marginalisation and disempowerment.

This is captured by the words of an old black poet to the young Barack Obama upon his admission to college. He said that, that while the community would rejoice because it was the outcome of the struggle for education that they had fought for, the 'real price of admission' was:

> Leaving your race at the door. Leaving your people behind. Understand something, boy. You're not going to college to get educated. You're going there to be *trained*. They'll train you to want what you don't need. They'll train you to manipulate words so they don't mean anything anymore. They'll train you to forget what it is that you already know. They'll train you so good, you'll start believing what they tell you about equal opportunity and the American way and all that shit. (Obama, 2004: 97)

As indicated, there were exceptions. In their submissions and/or interaction with the Committee, a handful of institutions engaged with the underlying assumptions and values of the institutional culture and the need to fundamentally alter the latter. These institutions fit Shields' definition of institutions with a transformational leadership.

Secondly, there was an underlying assumption that the institutional submissions represented a consensus on, and understanding of the transformation agenda. That this was not the case became clear in the course of the visits to the institutions, where there were contradictory representations and views of institutional realities and the state of transformation by both management and institutional stakeholder groupings. These contradictions were evident in both the submissions and the oral presentations. The fact that these contradictory interpretations of institutional realities coexist, suggest the absence of dialogue and engagement within institutions. This is confirmed by the fact that, as indicated in Section 1.3, with two exceptions, all the institutional submissions were prepared by the institutional management. And indeed, the only institutions in which there was an acknowledgement by all constituencies that there was no common understanding of what constituted transformation, and that arriving at a common understanding would require dialogue, were the institutions with a transformational leadership. The lack of dialogue is illustrated by the following comments:

> There is not sufficient institutional space to talk about race because people are scared it may get out of control. (Wits meeting with staff)

> We need space for open debate but race is difficult to talk about because it leads to misinformation and miscommunication. (Wits meeting with staff)

> There is no common understanding or agreement on what constitutes transformation. There is no institutional definition of transformation. There is a process currently underway to do so. It can't be decreed from the top. It must be socially constructed and at least acceptable to a critical mass.

(NMMU meeting with management)

We need to create space to unpack assumptions. Don't view [matters] in unilinear fashion. We need to be sensitive to enable the questioning of our own assumptions. (NMMU meeting with management)

Transformation policy must be jointly defined by management and students through consultation. (UJ meeting with students)

There is a top-down management style. There is a need to move from management as control to leadership as development. (NMMU meeting with staff)

Thirdly, there is a pervasive fear of victimisation that seems to exist across institutions. As indicated in Section 3.3, the Committee was struck by the number of times that both black staff members and students spoke about the 'culture of silence' that permeated institutions because of a fear of victimisation. And despite the fact that the Committee assured the participants at each meeting that the tape recordings of the meetings were confidential and for the Committee's use only, there were a few instances where institutional constituencies requested that parts of the interaction not be taped, in order to enable them to speak freely:

Students don't raise issue of racism because they are scared of victimisation. (Meeting with staff)

There is a culture of silence – [you are] threatened with dismissal if you speak out. (Meeting with unions)

A culture of silence exists and individual thinkers are a threat. (Meeting with staff)

If vocal, face the guillotine. (Meeting with unions)

Is this discussion secure? I could be suspended if not. (Meeting with staff)

7.6 Conclusion and Recommendations

The central conclusion that emerges from this review of the governance experience is that the governance structures and approaches in the institutions are not working optimally to ensure the success of the transformation project. While it may be the case that some universities have found ways of attaining efficiency in their governance approaches, and need to be recognised for doing so, it is a fact that the central mechanisms and structures in operation are unable to get at the heart of the difficulties of what it means to be a transforming institution.

And the key to this is accountability. The problems begin with the abdication of responsibility by councils. Most councils have adopted a narrow understanding of their mandates and left the business of developing policies to their management structures. The deference to management structures is in some ways understandable, as understanding of the core business of the university resides in management. But the fact of the matter is that this understanding is not beyond criticism.

Accountability at management level is equally problematic. The vice-chancellor is accountable for the implementation of the transformation agenda and, in turn, it is his or her responsibility to ensure that middle-level and other managers are held accountable for their role in the implementation process. However, the fact that this is not happening, is evident from the fact that a recurring theme across institutions was the claim that middle managers were a key obstacle to transformation. In many institutions, it would appear that devolving authority to these lower levels of management, and especially to people who do not have a sense of ownership of these policies, constitute one of the most frustrating challenges facing transformation. The absence of a sense of ownership of policies of transformation at the middle and lower management levels of institutions constitutes a problem that needs urgent attention. But it does beg the question: If they constitute an obstacle, why are they not being held accountable?

This raises the issue of the accountability of the vice-chancellor, as it is easy to lay the blame at the feet of middle-management but, in the end, it is the responsibility of the vice-chancellor to ensure that there is 'buy-in' and ownership of the transformation agenda at all levels of the institution.

Equally problematic is the marginalisation of structures of transformation, such as IFs. The fact that IFs have been relegated to being fringe players was not intended in the policy and legislative framework for higher education. It is clear that the role and function of the IFs needs to be revisited and strengthened.

There can be no argument with the fact that the creation of optimally functioning governance structures is of critical importance for the smooth functioning of institutions, as well as for the achievement of the transformation goals set in the White Paper. In the light of this, the Committee makes the following recommendations:

(i) The Minister should consider the development of a transformation compact between higher education institutions and the DoE, with clearly identified targets and commitments. This transformation compact should be included as an integral component of the institutional plans that are submitted by institutions to the DoE.

(ii) The Minister should initiate a review of the size and composition of councils, more in particular to assess the appropriate balance between external and internal members, given the dominance of management, as well as the role of particular categories of members, such as donors, the convocation and alumni.

(iii) The Committee welcomes and supports the review of the role and function of IFs that the Minister has initiated, as it is of critical importance for the role of the IFs to be strengthened.

(iv) The Minister should consider establishing a permanent oversight committee to monitor the transformation of higher education.

(v) The DoE should facilitate the training of council members, including holding an annual meeting to review the role, function and performance of councils.

(vi) Councils should develop a clear transformation framework, including transformation indicators with set targets. This should form the basis of the performance contract of the vice-chancellor.

(vii) Institutions should develop a transformation charter for the institution, which could serve as a basis for the social compact between internal constituencies.

(viii) The right of student political organisations to participate in SRC elections should be reinstated where it has been removed.

Chapter 8:

Conclusion

In bringing this report to a close, it is worth repeating that the Committee set out to provide the following:

- An overview report of the state of discrimination in higher education.
- An indication of the most egregious forms of discrimination that are taking place within the system.
- Insight into models of good, anti-discriminatory practices that were emerging within the system.
- An agenda for the areas of higher education most urgently in need of anti-discriminatory work.
- An identification of the most critical areas for further investigation and research.

In sketching these objectives for itself, the Committee was deeply aware of the role and obligation that higher education institutions ought to play in South Africa. It understood especially the developmental challenges that the country faced and the role of a vibrant, confident and generative higher education system in identifying, understanding and analysing these challenges, while providing insight into, and guidance as to how they could be addressed. In this regard, the Committee was profoundly aware of the real costs of maintaining a discriminatory system that continued to service and be of benefit only to the rich and the previously advantaged, and how severely the country would be affected by the continued exclusion of the majority of its people from these benefits. More in particular, the Committee was aware of:

1. *Costs to the individual*, such as those pertaining to the opportunity for developing a sense of self-awareness, and to the capacity for self-development. The Committee was aware of the important role of that universities play in helping individuals – both white and black – to discard the shackles of an apartheid past, and the important opportunity that higher learning offers the individual to understand himself/herself and his/her relationship with the social and the material world. The psychological costs, and the costs pertaining to identity, of preserving an exclusionary and discriminatory system, would perpetuate the unhealthy self-concept patterns that exist within the population – those of an internalised inferiority amongst black people and an inflated false sense of superiority amongst white people, and distorted ideas amongst all of what their entitlement, rights and privileges constitute.
2. *Costs to institutions* themselves, brought about by the production and reproduction of inhospitable and even destructive academic and institutional environments. The Committee saw these as almost inevitably leading to alienation, marginalisation, a low morale, high failure rates, poor throughput rates, as well as the inability to, minimally, reproduce themselves and, optimally, becoming sites for the generation of new productive, relevant institutions that would embrace the full complexity of this country, while finding in this complexity the challenge and stimulus to become world-class institutions on their own terms.
3. *Costs to society* in terms of social cohesion and social and economic development. In relation to the former, with institutions failing to transform and not, as merely one result of this failure, making the space of Africa a primary site for their knowledge production endeavours, higher

education would not provide the leadership and the guidance to other arenas of work and social delivery, via the kind of knowledge that would be useful in dealing with the country's endemic poverty and the attendant problems of crime and anti-social behaviour. In terms of the latter, the economic costs of forgoing an income, the inability to pay taxes that contribute to the general social welfare, low productivity, a low GDP, and a low human development index, constitute major costs that a developing economy, such as South Africa's, cannot afford.

In summary then, and mindful of the costs to the country, the Committee found that the higher education system found itself in a very unstable state of health. While institutions have elements of their operations or dimensions of their work that meet the particular kinds of criteria to be deemed as being successful, every single institution in the country is experiencing difficulties and facing challenges in being both transformative and successful. None of South Africa's universities can confidently say that they have transformed or have engaged with the challenges of transformation in an open, robust and self-critical manner. On the contrary, too many institutions project themselves as being successful. There are even instances where institutions have suggested that the transformation process poses a threat to their success.

In relation to the major objectives that the Committee outlined for itself, it can confidently state that the system largely has in place a comprehensive range of policies dealing with transformation-related issues. This is especially so with respect to the requirements of employment equity. The observation had been made in Chapter 2, however, that particular kinds of gaps in policy development were evident. These particularly related to racial and gender harassment policies. These gaps notwithstanding, the conclusion to which the Committee has come is that, in legal and regulatory terms, the higher education system is in good standing and that the important first step in the process of transformation has been taken.

In assessing the impact of the policies, the Committee, however, found a great deal of dissatisfaction throughout in the system. There are sufficient grounds to believe that serious problems exist. The volume of complaints that the Committee received about racial and gender discrimination in particular, as well as other forms of discrimination, is too significant to dismiss. Therefore, while there is no doubt that significant policy development has indeed occurred towards transformation, the next important step of making those policies work, giving them life and nurturing the kind of academic communities that regard diversity as one of the country's distinguishing virtues, has not been taken yet.

Across the country testimony was provided which suggested that black people feel that they are simply being tolerated. As a consequence of this, the Committee came to the realisation that the achievement of this first important step throughout the country, is being interpreted too narrowly. Many believe that they are fulfilling what is required and that 'all is well'. Instead, the Committee suggests that this approach has given rise to a mentality of compliance. In response to the first question defined for the Committee by the Minister, the Committee concludes that there is still evidence of unacceptable discrimination in the system.

The various forms of discrimination can be summarised as follows:

1. Structural discrimination regarding enrolment and throughput experiences, with African and Coloured students having markedly lower levels of access to, and success in the system.
2. Governance structures that fail to recognise the complex contexts that they exist in and, in so doing, ignoring the real-life realities, experienced by large sections of their constituencies.

3. Persistent covert discrimination, as evidenced in the large number of complaints from students and staff members pertaining to their experiences in class; to the use of specific forms of language and the actual languages being used; to assessment; and to promotion. The fact that so many black students, virtually everywhere in the country, proclaim with pride that they had 'survived' their institutions, is profoundly disturbing. Of equal concern is the feeling amongst many black staff members in historically white institutions that their lack of loyalty is not misplaced.
4. Uncompromising institutional cultures, which favour white experiences and marginalise black ones and, in so doing, resulting in pervasive feelings of alienation amongst black staff members and even a sense of fear of speaking out.
5. Uncompromising knowledge dissemination and a production of cultures that are largely incapable of engaging with the experience of Africa and the virtues of Africa as a social, cultural and scientific space.
6. Language practices that fail to affirm individuals as subjects of learning.
7. Persistent experiences of discrimination in residence life, due to the inability of many of institutions, both historically white and historically black, to create nurturing environments for black students, which will enable them to enter into the fullness of the university experience and to prosper.
8. The pervasiveness of the sexual harassment of female students in a large number of institutions.

With regard to the Minister's question about innovations in the system there is no doubt that significant and indeed far-sighted developments and innovations continue to emerge in the system. These emerge and exist alongside real challenges that continue to fester and even develop anew inside institutions.

In exploring the system as a whole, the Committee became profoundly aware of just how seriously many of the outstanding leaders in the system were regarding the challenges of transformation facing their institutions. In some institutions this leadership was embodied in the personal demeanour and deportment of vice-chancellors and their executive management teams. In others, it was beginning to emerge in the infrastructural and organisational frameworks that were being developed. Seldom, however, were both of these demonstrated simultaneously.

Nonetheless, the initiatives that many are taking represent real victories that the system must celebrate. These initiatives, which address anti-discriminatory practices, are highlighted throughout the report. However, it is important to emphasise that the Committee was not in a position to assess whether these initiatives constituted best practice.

The Committee simply did not have the time or the resources to undertake the detailed investigation that would have been required in order for it to judge the value and impact of the wide range of institutional interventions that deal with issues of discrimination and transformation. It should also be noted that the interventions highlighted do not necessarily constitute a full picture of what is taking place in the higher education system. In this regard, the Committee was largely dependent on information contained in the institutional submissions, and the latter did not always provide the relevant information.

What then are the key issues for a future agenda for transformation? What must the system do to shift towards becoming a high-level, relevant and accessible one? There are two levels of engagement with the system, by role-

players in the system itself, namely Higher Education South Africa (HESA) and government, which are necessary for success:

In the immediate to short term, there is a need, on the one hand, for the system to utilise that which it has much more efficiently and productively, but on the other hand, it needs to be much more responsive to the legacy of issues of racism and classism, as well as to the pervasive issues of sexism and gender. In the short term, the primary requirement for institutions is to develop a deep sense of self-awareness with regard to their managerial and governance operations, and to develop internal modalities for dealing with these issues. One of the first tasks of a transforming university is for it to do an internal stock-taking exercise. It must ask itself, with regard to the objectives of turning itself into a healthy and productive institution, what it is doing well and what it is doing less satisfactory. It also has to measure that which it deems to be positive and negative against the larger goals of transformation.

In practice, this means persuading university councils to take far greater responsibility for the mandates of, and charges that they make with regard to their institutions. Weak councils produce institutions that account inadequately to their major stakeholders, to parents, to the communities to which they belong, and to government, which finds itself in a position of responsibility towards the general public.

It calls for vice-chancellors and executive management teams to develop practical strategies for engaging with their institutions, and to foster relevant discourses and practices that are consonant with their institutional vision and mission.

It calls for students and their organisations to move from the periphery of university life to the centre, and to start engaging in meaningful ways with the issues that impede their full participation in university life and, more particular, in the area of learning. Throughput issues are central to a student governance agenda.

Academic staff, in the short term, need to become aware of, and learn to understand the students they teach, by being much more sensitive towards these students. The forums in which they work, such as faculty boards and senates, must start the challenging task of understanding and responding to academic failure.

Finally, non-academic staff throughout the system need to address the extremely challenging question of how their staff and union structures could develop a critical and productive approach to the knowledge production focus of the university. They need to establish how the support work that they do could be valorised for the important role that it plays in the university. The role of government in the medium to short term must be to investigate the status and efficacy of the levers of transformation it has put in place. This would require a thorough review of governance structures, such as IFs and councils in the first instance and, in the second instance, the reward and sanction instruments that they have at their disposal with regard to funding and subsidy mechanisms, obtained from the Treasury and from agencies, such as the research foundations.

Practical issues on this agenda *must* include:

- The structure, composition and mandate of councils.
- The roles and responsibilities of vice-chancellors and executive management teams.
- The roles and responsibilities of middle-level academic and support staff in universities and their significance in facilitating student success.

- The forms of academic and material support that students might need, especially poorly prepared students entering the university.
- The organisation of residence life.
- The development of strong oversight and monitoring structures pertaining to transformation, such as a transformation monitoring agency.

In the longer term, the big question that needs to be posed relates to the role of the university in the developing context of South Africa and Africa. This question must pivot around knowledge and knowledge production. There is no doubt that the university as an institution is going to become even more crucial in terms of the social, economic and environmental challenges that the country, the region, and indeed the world are facing. What kind of university is required in this new space? With regard to this challenge, an open relationship of trust and mutuality is required between the university, government, the world of work and the broader community. It is only through robust, critical, far-sighted and ongoing engagement that options will emerge that will come to shape the outlines of what a university of the future might look like. In practice, this focus must be on:

- reviewing the nature of the curriculum; and
- reviewing the relationship of the university with broader society.

The final point to be made in bringing this report to a close, is that universities, as they are historically defined, have an obligation to work for the good of society. They cannot be sectional, sectarian or crafted in the image of, and for the benefit of segmented elements of the social system in which they operate. It needs to be emphasised that this obligation takes on heightened significance in the challenging times in which South Africa is finding itself.

In terms of this historical obligation, it is unthinkable that any South African university will promote, knowingly or unknowingly, innocently or deliberately, the interests of special groups to the detriment of those interests which stand for the common good.

Nothing in life is constant; everything is variable. Transformation, if properly managed, offers a tremendous opportunity to enhance self-fulfilment for all – in other words, society at large benefits. It is indeed gratifying that there are good practices that have been noted as some of the institutions that can serve as models for emulation. It should be kept in mind that in the South African context, transformation in the broader sense has become imperative, due to the inequities inherent in apartheid. The task of moving from the old to the new is indeed, both complex and daunting.

While the Committee commends those individuals and institutions that have contributed to the advances made towards the realisation of the democratic ideals that institutions of higher learning subscribe to, there is a considerable distance that is yet to be travelled before we can pause. The Committee expresses the hope that there will be an exponential increase in the number of individuals and institutions who will join in the project of ensuring that the institutions of higher learning become homes where the democratic principles and values, enshrined in the Constitution, are fully enjoyed by all – regardless of race, gender, ethnicity, social class, language, culture, health status, national origin or sexual preference.

Appendices

Appendix 1: Terms of Reference

No. 30967 *GOVERNMENT* GAZETTE, 11 APRIL 2008

CONTENTS INHOUD

GENERAL NOTICE

Education, Department of

General Notice 441 Public Finance Management Act (1/1999): Ministerial Committee on progress towards transformation and social cohesion and the elimination of discrimination in public higher education institutions.

NOTICE 441 OF *2008*

MINISTRY OF EDUCATION

MINISTERIAL COMMITTEE ON PROGRESS TOWARDS TRANSFORMATION AND SOCIAL COHESION AND THE ELIMINATION OF DISCRIMINATION IN PUBLIC HIGHER EDUCATION INSTITUTIONS

I, Grace Naledi Mandisa Pandor, MP, Minister of Education, in accordance with Treasury Regulation 20 [issued in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1991], hereby establish the committee set out in the schedule hereto to investigate discrimination in public higher education institutions, with a particular focus on racism and to make appropriate recommendations to combat discrimination and promote social cohesion.

GNM Pandor, MP
Minister of Education
28 March 2008

STAATSKOERANT, 11 APRIL 2008, **No.** 30967

SCHEDULE

MINISTERIAL COMMITTEE ON PROGRESS TOWARDS TRANSFORMATION AND SOCIAL COHESION AND THE ELIMINATION OF DISCRIMINATION IN PUBLIC HIGHER EDUCATION INSTITUTIONS

1. Purpose

The Committee will investigate discrimination in public higher education institutions, with a particular focus on racism and is to make appropriate recommendations to combat discrimination and promote social cohesion.

2. Terms of Reference

The Committee must report on the following:

2.1. The nature and extent of racism and racial discrimination in public higher education, and in particular university residences. While the emphasis should be on racial discrimination, other forms of discrimination, based on, for example, gender, ethnicity and disability should also be considered.

1.2. The steps that have been taken by institutions to combat discrimination, including an assessment of good practice as well as the shortcomings of the existing interventions.

And

2.3. Advise the Minister of Education and the key constituencies in higher education on the policies, strategies and interventions needed to combat discrimination and to promote inclusive institutional cultures for staff and students, which are based on the values and principles enshrined in the Constitution.

2.4. Identify implications for other sectors of the education system."

3. Process

3.1 In the course of its work, the Committee is expected to engage with key stakeholders within and outside of higher education, including national student organisations, national staff unions, Higher Education South Africa, Council on Higher Education etc.

3.2. The Committee should also draw on studies undertaken in South Africa and on international best practice, as appropriate.

3.3. The Committee will be supported by a dedicated secretariat.

3.4. The Committee is accountable to the Minister. The Commission will provide the Minister of Education with an initial report within a period of three months from commencing its work. A final report will be due three months thereafter.

The Members of the Ministerial Committee are:

Prof. Crain Soudien - Chairperson
Dr Olive Shisana
Prof. Sipho .Seepe
Ms Gugu Nyanda
Mrs Sankie Mthembi-Mahanyele
Dr Charles Villa-Vicencio
Prof. Mokubung Nkomo
Ms Mohau Pheko
Mr Nkateko Nyoka
Ms Wynoma Michaels

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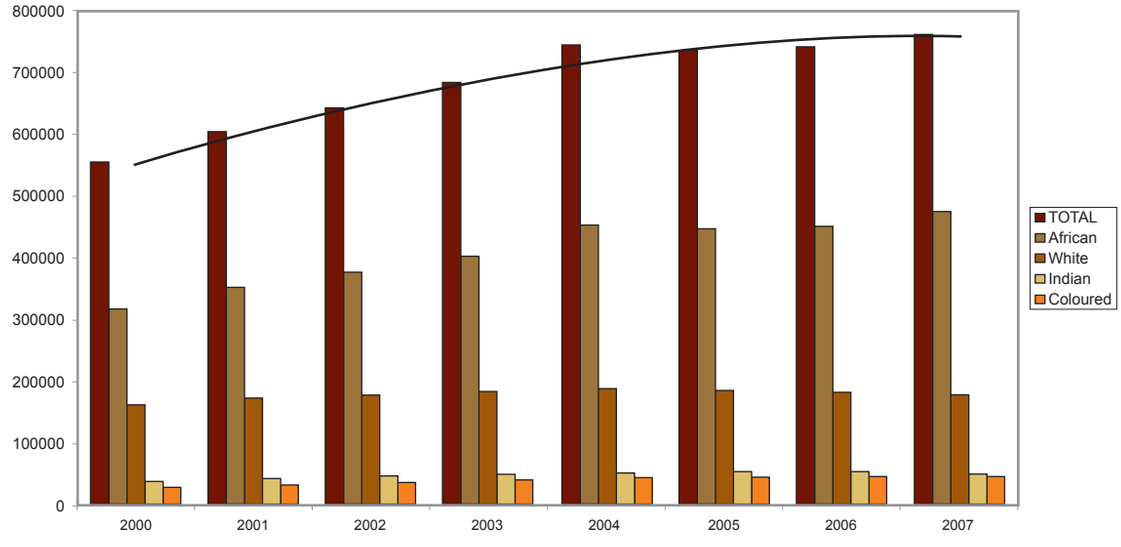
Appendix 2: Quantitative Trends in Higher Education

Table 1: Headcount Enrolments by Race and Gender: Undergraduate & Postgraduate

RACE & GENDER	2000		2001		2002		2003		2004		2005		2006		2007		Average Annual increase
African	317998	58%	353327	59%	377072	59%	403235	59%	453621	61%	446945	61%	451106	61%	476770	63%	6.00%
Coloured	30106	5%	32900	5%	37906	6%	42390	6%	46091	6%	46302	6%	48538	7%	49066	6%	7.20%
Indian	39558	7%	43436	7%	47567	7%	51611	8%	54326	7%	54611	7%	54859	7%	52596	7%	4.20%
White	163004	30%	173397	29%	178871	28%	184964	27%	188714	25%	185847	25%	184667	25%	180461	24%	1.50%
TOTAL	555080	100%	604667	100%	643236	100%	684409	100%	744489	100%	734925	100%	741380	100%	761087	100%	4.60%
Female	289555	52%	321653	53%	344979	54%	366465	54%	403832	54%	401019	55%	408718	55%	422533	56%	5.50%
Male	265525	48%	283014	47%	298257	46%	317944	46%	340657	46%	333906	45%	332662	45%	338548	44%	3.50%

Note: Percentages may not always add up to 100, due to rounding off, and/or race/gender unknown.

Headcount Enrolments by Race: Undergraduate & Postgraduate



Headcount Enrolments by Gender: Undergraduate & Postgraduate

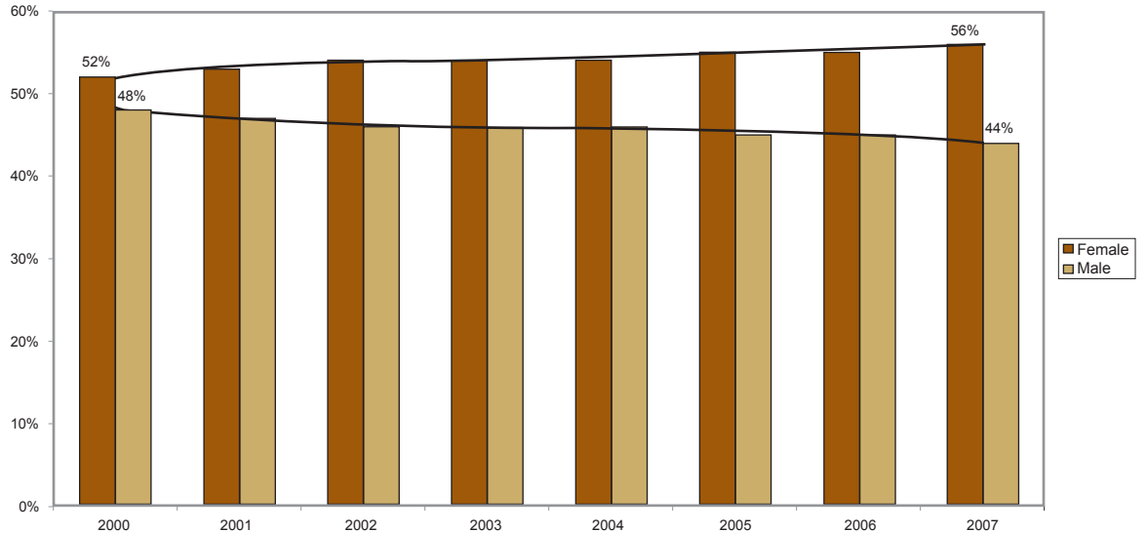


Table 2: Participation rate

Race	Gender	2001	2002	2003	2004	2005	2006	2007
African/Black	Male	9.1	9.6	10.1	10.6	12.8	10.3	10.8
	Female	11.3	11.8	12.2	13.0	12.9	13.0	13.8
Coloured	Male	8.3	9.3	10.2	11.0	10.9	11.2	11.2
	Female	8.7	10.4	11.9	13.1	13.9	15.1	15.6
Indian/Asian	Male	40.2	42.8	45.0	46.2	45.1	44.1	42.3
	Female	44.3	48.7	52.8	55.5	56.1	57.2	54.7
White	Male	57.9	59.9	61.1	60.7	57.5	55.4	53.0
	Female	59.9	63.5	66.0	66.6	63.6	63.0	61.5
Total	Male	13.0	13.6	14.2	14.7	14.4	14.3	14.4
	Female	15.1	15.9	16.6	17.5	17.4	17.6	18.1
	Both	**14.1**	**14.7**	**15.4**	**16.1**	**15.9**	**15.9**	**16.3**

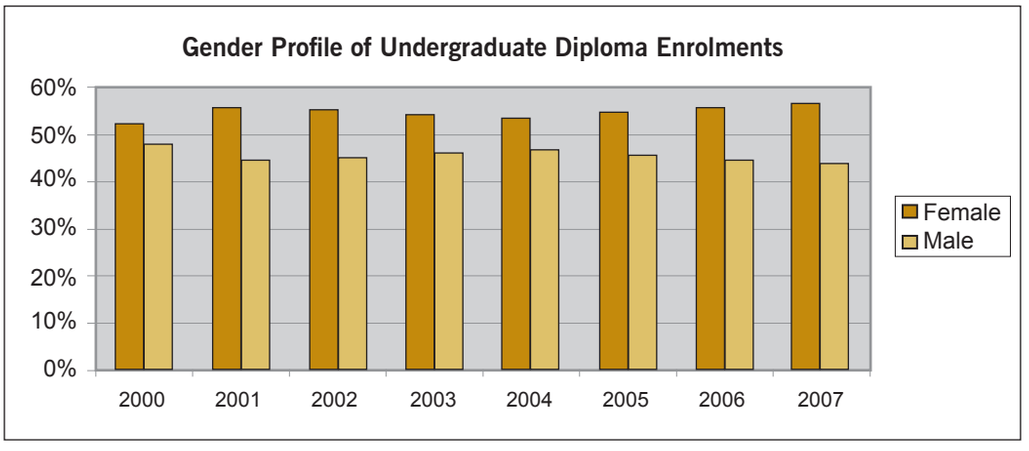
Gross enrolment ratios: total headcount enrolment over population 20 - 24 years
Population estimates provided by Stats SA

Table 3: Equity Profile of Undergraduate Diploma Enrolments

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	146389	77%	152912	78%	154870	79%	167137	80%	191816	80%	191627	81%	183380	81%	193822	82%
Coloured	11252	6%	11415	6%	12951	7%	13802	7%	14425	6%	13641	6%	13890	6%	13371	6%
Indian	6116	3%	6899	4%	7056	4%	6792	3%	6991	3%	6809	3%	7179	3%	6843	3%
White	24430	13%	22728	12%	21474	11%	21136	10%	26042	10%	24047	10%	23589	10%	22536	9%
Female	98463	52%	108258	55%	108493	55%	113328	54%	127027	53%	127461	55%	125366	56%	131756	56%
Male	90788	48%	87188	45%	88740	45%	96421	46%	112996	47%	108791	45%	103076	44%	105017	44%

Table 4: Equity Profile of Undergraduate Degree Enrolments

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	144776	51%	162424	52%	175194	52%	178615	51%	169742	49%	170772	49%	181265	50%	194144	52%
Coloured	14137	5%	16090	5%	18730	6%	21527	6%	23086	7%	24042	7%	25438	7%	26405	7%
Indian	26102	9%	28279	9%	31332	9%	34457	10%	36500	11%	37358	11%	36960	10%	35177	10%
White	97846	35%	106259	34%	113224	33%	117669	33%	115409	33%	115654	33%	116208	32%	113690	31%
Female	151067	53%	166165	53%	181016	53%	188989	54%	188246	55%	190791	55%	198983	55%	204321	55%
Male	131933	47%	146959	47%	157551	47%	163450	46%	157108	45%	157645	45%	161589	45%	165879	45%



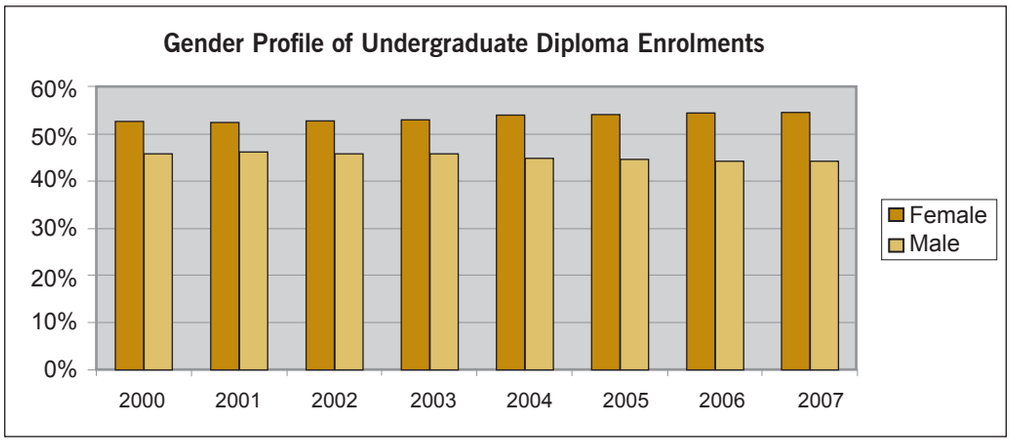


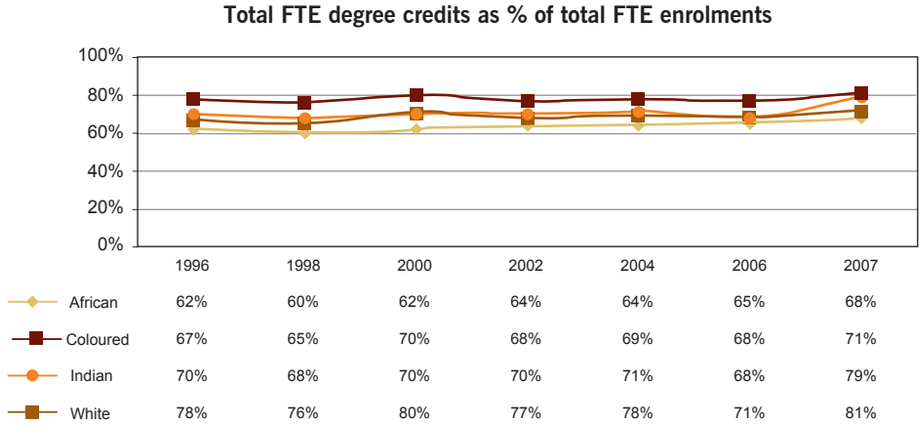
Table 5: Equity Profile of Masters Degree Enrolments

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	11552	36%	13652	39%	16259	41%	19397	44%	21004	46%	20317	46%	19645	46%	19100	46%
Coloured	1892	6%	2106	6%	2394	6%	2546	6%	2641	6%	2560	6%	2601	6%	2496	6%
Indian	2609	8%	3061	9%	3518	9%	3918	9%	4036	9%	3844	9%	4039	9%	3803	9%
White	15741	49%	16478	47%	17278	44%	17789	41%	17601	39%	17504	39%	16455	38%	15593	38%

Table 6: Equity Profile of Doctoral Degree Enrolments

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	1610	25%	1869	27%	2236	29%	2531	30%	2932	32%	3275	35%	3583	36%	3889	39%
Coloured	327	5%	367	5%	419	5%	450	5%	529	6%	572	6%	565	6%	565	6%
Indian	464	7%	533	8%	619	8%	696	8%	768	8%	754	8%	813	8%	797	8%
White	3993	62%	4202	60%	4486	58%	4685	56%	4861	53%	4811	51%	4819	49%	4750	47%

Table 7: Average Course Success Rates by Race: Undergraduate & Postgraduate



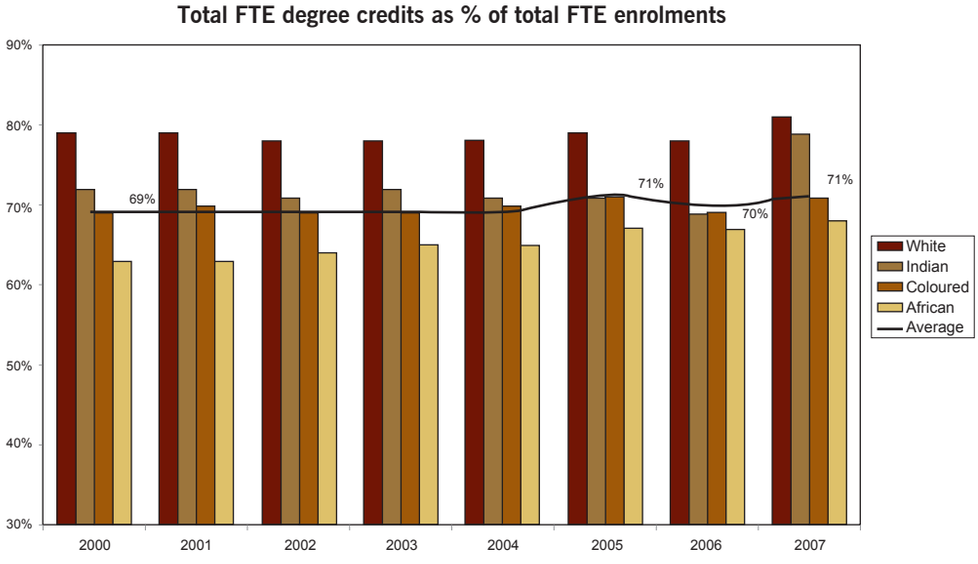


Table 9: Equity Profile of Masters Degree Graduates

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	1626	26%	1944	29%	2056	29%	2333	31%	2719	34%	2685	33%	2836	36%	2902	37%
Coloured	307	5%	319	5%	385	6%	413	5%	435	6%	467	6%	434	6%	372	5%
Indian	456	7%	473	7%	567	8%	714	9%	679	9%	654	8%	642	8%	710	9%
White	3758	61%	3887	59%	3961	57%	4061	54%	4060	51%	4200	52%	3957	50%	3807	49%
Female	2576	42%	2878	43%	3098	44%	3320	44%	3446	44%	3602	45%	3610	46%	3634	46%
Male	3574	58%	3752	57%	3877	56%	4204	56%	4450	56%	4420	55%	4273	54%	4194	54%

Table 10: Equity Profile of Doctoral Degree Graduates

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	204	21%	198	22%	229	23%	242	23%	298	27%	341	29%	331	30%	428	32%
Coloured	40	4%	31	3%	50	5%	51	5%	50	5%	68	6%	57	5%	72	5%
Indian	54	6%	55	6%	72	7%	99	9%	102	9%	83	7%	91	8%	105	8%
White	674	69%	613	68%	633	64%	659	63%	654	55%	695	58%	618	56%	721	54%
Female	400	41%	336	37%	380	39%	409	39%	420	38%	524	44%	475	43%	550	41%
Male	572	59%	564	63%	605	61%	643	61%	685	62%	665	56%	625	57%	779	59%

Table 11: Headcount of Full Time (Permanent & Temporary) Instruction/Research Staff by Race and Gender

Race & Gender	2003		2004		2005		2006		2007		Average Annual increase
African	4476	23%	4378	23%	4188	24%	4832	24%	4854	25%	2.00%
Coloured	1011	5%	1018	5%	1003	6%	1077	5%	1163	6%	3.60%
Indian	1642	8%	1658	9%	1355	8%	1790	9%	1614	8%	-0.40%
White	12371	62%	12047	63%	10911	62%	11999	60%	11535	59%	-1.70%
Unknown	343	2%	145	1%	105	1%	161	1%	318	2%	-1.90%
TOTAL	19843	100%	19247	100%	17562	100%	19859	100%	19484	100%	-0.50%
Female	8261	42%	8000	42%	7376	42%	8540	43%	8392	43%	0.40%
Male	11581	58%	11245	58%	10186	58%	11319	57%	11092	57%	-1.10%

Note: Percentages may not always add up to 100, due to rounding off, and/or race/gender unknown.

Table 12: Headcount of Full Time (Permanent & Temporary) Executive and Management Staff by Race and Gender

Race	2000		2001		2002		2003		2004		2005		2006		2007	
African	231	16%	272	19%	338	22%	340	22%	356	22%	372	23%	402	24%	407	24%
Coloured	125	9%	123	9%	139	9%	149	10%	148	9%	133	8%	137	8%	153	9%
Indian	104	7%	85	6%	100	7%	94	6%	105	7%	108	7%	107	7%	123	7%
White	987	67%	946	66%	943	62%	925	62%	998	63%	980	62%	993	61%	1009	60%
Female	329	23%	294	20%	363	24%	392	26%	432	27%	458	29%	517	31%	599	35%
Male	1119	77%	1132	80%	1157	76%	1118	74%	1177	73%	1137	71%	1122	69%	1103	65%

Table 13: Headcount of Full Time (Permanent & Temporary) Non-Professional Administrative Staff by Race and Gender

Race & Gender	2003		2004		2005		2006		2007		Average Annual increase
African	6502	41%	6722	40%	7298	42%	7681	41%	8350	42%	6.50%
Coloured	2187	14%	2537	15%	2833	16%	3209	17%	3460	18%	12.20%
Indian	1041	7%	1054	6%	1024	6%	1009	5%	1053	5%	0.30%
White	6022	38%	6208	37%	6085	35%	6664	36%	6666	34%	2.60%
Unknown	221	1%	118	1%	89	1%	90	0%	154	1%	-8.60%
TOTAL	15 973	100%	16 639	100%	17 329	100%	18 653	100%	19 683	100%	5.40%
Female	10895	68%	11430	69%	11793	68%	12672	68%	13283	67%	5.10%
Male	5077	32%	5209	31%	5536	32%	5981	32%	6399	33%	6.00%

Appendix 3: Institutions Submissions and Policy Documents

A. Submissions were received from the following institutions:

Central University of Technology
Durban University of Technology
Nelson Mandela Metropolitan University
North West University
Rhodes University
Tshwane University of Technology
University of Cape Town
University of Fort Hare
University of Johannesburg
University of the Free State
University of KwaZulu-Natal
University of Pretoria
University of South Africa
University of Stellenbosch
University of Venda
University of the Witwatersrand
Walter Sisulu University

B. Policy documents were submitted by the following institutions:

Cape Peninsula University of Technology
Central University of Technology
Durban University of Technology
Nelson Mandela Metropolitan University
Tshwane University of Technology
University of Cape Town
University of Johannesburg
University of Pretoria
University of Fort Hare
University of the Free State
University of South Africa
University of Stellenbosch
University of Venda
University of the Western Cape
University of the Witwatersrand

Appendix 4: Responses to Policy Questionnaire

The following institutions filled in the questionnaire requesting details on existing policies:

Durban University of Technology
Nelson Mandela Metropolitan University
North West University
Rhodes University
Tshwane University of Technology
University of Pretoria
University of Stellenbosch
University of Zululand

Appendix 5: Submissions received from national organisations and individuals

A. National and Regional Organisations

African National Congress Youth League
Anti-Racist Network
Commission for Gender equality
Deaf Federation of South Africa
Pan Africanist Student Movement of Azania
Freedom Front Plus Youth
UVPERSU
National Union of Tertiary Educators' of South Africa (NUTESA), TUT Branch
South African Students' Congress (SASCO), RU Branch
Staff Responses to the RU Submission
North West University Staff Association
National Union of Health and Allied Workers Union (NEHAWU), UFS Branch

B. Individuals

A number of submissions were received from individuals, mainly staff and students from institutions, some of whom requested anonymity. Given the latter, the Committee has decided not to include the names of the individuals who made submissions.

Appendix 6: Advert calling submissions

CALL FOR PUBLIC SUBMISSIONS

MINISTERIAL COMMITTEE ON PROGRESS TOWARDS TRANSFORMATION AND SOCIAL COHESION AND THE ELIMINATION OF DISCRIMINATION IN PUBLIC HIGHER EDUCATION INSTITUTIONS

The Minister of Education has established a Ministerial Committee to investigate all forms of discrimination – race, class, gender, ethnicity, nationality, political beliefs, religion, language, sexual orientation, age and disability, in public higher education institutions and to make appropriate recommendations to combat discrimination and promote social cohesion. The Terms of Reference of the Committee are available on request.

The Ministerial Committee consists of**:** Prof. Crain Soudien (Chairperson), Dr. Olive Shisana, Prof. Sipho Seepe, Ms. Gugu Nyanda*,* Mrs. Sankie Mthembi-Mahanyele, Dr. Charles Villa-Vicencio, Prof. Mokubung Nkomo, Ms. Mohau Pheko, Mr. Nkateko Nyoka and Ms Wynoma Michaels.

In pursuance of its mandate, the Ministerial Committee wishes to invite submissions from individuals, institutions and organisations with an interest in higher education transformation. The submissions should focus on identifying the nature and extent of discrimination, including the policies, strategies and interventions needed to combat discrimination and to promote social cohesion based on the values and principals enshrined in the Constitution. The Ministerial Committee would, in particular, welcome submissions from individuals who have personal experience of discrimination within higher education.

The closing date for submissions is 30 May 2008. The submissions should be sent to:

The Secretariat
Ministerial Committee on Higher Education Transformation
Private Bag X895
Pretoria
0001
E-mail: Ntabeni-Matutu.B@doe.gov.za
Fax: 012 324 1024

The contact person is Ms Babalwa Ntabeni-Matutu: 012 312 5251/5239

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