



**SECTOR POSITION PAPER ON
THE REPORT OF THE
MINISTERIAL COMMITTEE ON
TRANSFORMATION AND
SOCIAL COHESION AND THE
ELIMINATION OF
DISCRIMINATION IN SOUTH
AFRICA'S PUBLIC HIGHER
EDUCATION INSTITUTIONS**

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SECTOR POSITION PAPER ON THE REPORT OF THE MINISTERIAL COMMITTEE ON TRANSFORMATION AND SOCIAL COHESION AND THE ELIMINATION OF DISCRIMINATION IN SOUTH AFRICA'S PUBLIC HIGHER EDUCATION INSTITUTIONS¹

EXECUTIVE SUMMARY

Responding to the Report of the Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in South Africa's Public Higher Education Institutions, South Africa's HEIs have accepted that transformation is a challenge facing every institution in the sector. The universities, moreover, are cognisant of the importance of their role in promoting a culture of human rights and advancing the socio-economic rights of South Africans as central to the challenge of developing and sustaining democracy. The twin responsibilities of making institutions accessible to South Africans and of serving the needs of the society are also accepted and acknowledged. However, institutions have been concerned also to point out that what these responsibilities mean in practice and how to go about realising them is the subject of legitimate ongoing debate and discussion rather than being something that can be achieved in any deep or meaningful way by uniform measures adopted by decree across the sector. The pervasive tension that exists between the claim on the part of some to the autonomy of HEIs and the call on the part of others for greater accountability of these institutions is a theme running through the responses to the Report. These tensions and differences of emphasis reflect the fact that there is no such thing as a single institutional response to the Report and nor is a single sector response possible or even desirable. There are multiple responses within institutions and in the sector as a whole and this multiplicity cannot accurately be reduced to a single homogenous 'position' on the Report.

The very concepts of discrimination, transformation and social cohesion emerge in the responses to the Report as contested ideas. One of the resultant tensions that emerges concerns whether these debates and contestations in themselves act as bulwarks against

¹ In this paper the Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions is referred to as the Committee, and the Report of the Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions is referred to as the Report.

change rather than being part of a genuine process of interaction with a view to making progress with a far-reaching transformation agenda for the sector. For some, endless debate is an excuse to stall change. For others, debate and ongoing contestation are an essential, inevitable part of the very meaning of higher education. The very clear articulation of the meaning of transformation in Education White Paper 3, understood as much more than mere compliance with national policy goals, and incorporating both formal processes in the university (teaching, learning, research) and more informal processes including both the day-to-day ways in which people interrelate with one another and the traditions, customs, habits and symbols which are the matrix within which those relationships occur, is accepted in the institutional responses to the Report as a common starting point but has perhaps not been sufficiently percolated into everyday discourse and practice at institutions.

This raises one of the most significant common learning points to emerge from the responses to the work of the Committee namely the urgent need for the creation of a climate of honest and open debate that can lead to greater understanding and mutuality within institutions with respect to some of the core issues related to transformation. Institutions, in their responses to the Report, indicate an awareness of the widespread perception that emerges in the Report that these critical discussions are either absent or, if they do happen, are superficial and lacking in a sense of genuine willingness to engage and to shift entrenched mindsets, perspectives and positions. Reflected too in the institutional responses to the Report is an acceptance of the special responsibility of higher education bodies to play a leading role in society with respect to the elimination of prejudice and the fostering of a climate of social justice rather than simply being content to reflect the injustices and inequities of the broader society.

Turning to the substance of the Report, taking Education White Paper 3's vision of a transformed higher education system as its starting point, the Report argued that transformation incorporates three elements: policy and regulatory compliance, epistemological change, and institutional culture and the need for social inclusion and suggested that while institutions have gone a long way to achieving regulatory compliance, concerns remain policy implementation and the larger questions of transforming curricula and institutional culture. This summation: of the urgent need to move beyond policy formulation and to achieve practical, tangible equity goals and to create an observable shift in the cultures of institutions which in many instances, albeit in difficult to define and sometimes barely perceptible ways, continue to legitimise the subordination of the disabled, of women and of black people, is widely embraced in the sector. If there is a tension it lies in

the difference between those who are concerned to stress that these processes, if they are to be genuine and far-reaching are slow processes which are necessarily built on multiple fronts and in subtle ways informed by conceptually complex debates, and those who see in this line of reasoning an attempt to excuse lack of institutional will and an unacceptably slow pace of change.

With respect to the key challenges related to staff and student equity and development, it is acknowledged that South Africa's HEIs remain predominantly white and male in their leadership and professoriate. Post-graduate programmes particularly in certain faculties and disciplines remain male dominated and disproportionately white. What this means is that programmes to transform institutional cultures along with practical measures aimed at redress have not yet been successful in creating a climate in which both men and women and both black and white students and staff can flourish and succeed in equal measure. Changing this picture, it is acknowledged, requires more than simply the implementation of narrow policy targets. The complex terrain of institutional culture and subtle racism and sexism are often the unseen matrix upon which discriminatory practices and experiences are founded and perpetuated. This terrain is difficult to chart and, as a result, difficult to traverse. Often the interventions aimed at making an impact at this level are disparate and may seem small and ineffectual. Institutions nevertheless stress that their efforts to pay attention to the lived experiences of staff and students and to the myriad small ways in which slights, insults and prejudices can act to mould experience with discriminatory results need to be supported and encouraged. While programmes whose effects are seemingly small and long term may not make news headlines it is important that institutions be encouraged to do that which is meaningful and based on sound analysis of the ways in which racism and sexism operate rather than feeling forced to adopt grandiose plans that may in the end have less real impact.

With respect to governance, many of the institutional responses to the Report sound a cautionary note concerning the extent to which the Report at times seems to suggest firstly, a one-size-fits-all approach to solving governance challenges and secondly, advocates direct intervention in ways that might contravene the autonomy of institutions of higher learning. Here again, the judicious balancing of autonomy with accountability emerges as a recurring theme. For some, it is impossible for higher education institutions to fulfil their social responsibility to foster a critical citizenry unless they are deeply autonomous. For others, behind the call for autonomy to be recognised lies a hidden agenda for perpetuating

discrimination and obstructing change. Every difference of emphasis and view expressed in the institutional responses relates ultimately to this wider and often unvoiced tension.

Wide ranging measures to foster transformation, the elimination of discrimination and the achievement of social cohesion have been adopted in multiple arenas across the sector. These include for instance the emergence of an anti-racism network which incorporates institutions across the country, a variety of awareness raising initiatives and diversity training interventions, institutional charters, seminars and workshops. Measures aimed at staff equity and development include interventions such as salary supplements, the creation of additional posts, the incorporation of equity targets into managers' performance contracts, training programmes, career advice, research mentoring and assistance, buddy systems, job shadowing, grow-your-own-timber projects and the more nuanced use of exit interviews to establish greater insight into the reasons why some of these programmes might not succeed in achieving the goal of retaining black staff. Measures such as student leadership training, mentoring projects and values charters are being employed at many institutions with a view to addressing transformation at the level of student living. A variety of measures aimed at language and epistemological transformation have been employed around the country including the use of regional African languages for marketing and administration purposes, African language courses for staff and students, the provision of materials in African languages, the emergence of African languages as credit bearing courses in professional degrees such as Pharmacy, the development of African language glossaries and text translations, the infusion of work-integrated learning into formal curricula, the infusion of indigenous knowledge into formal curricula and ongoing innovation and research into teaching and learning.

There is wide agreement across the sector concerning the inadequacy of existing measures to address the needs of students and staff with disabilities but there are instances of special units having been created at some institutions such as resource centres for deaf students and some have representative structures for students with disabilities. Student access and achievement is being addressed by way of wide-ranging measures aimed at improving access to higher education for students from disadvantaged circumstances as well as improving their chances of success once access has been gained. These include for instance writing centres, supplemental instruction and a variety of retention projects. With respect to governance, institutions have pointed out that new positions have emerged on many campuses such as that of transformation manager, that institutional forums are indeed functioning well at some institutions, so the idea of universal malaise is inaccurate and

transformation charters and frameworks have acted as a catalyst for debate and the generation of wider understanding at several institutions.

The institutional responses to the Report, on the whole, acknowledge that more can and should be done. However, as the Report itself points out, much of what needs to be done is inevitably resource intensive. Building facilities in residences and lecture theatres for disabled learners costs money. Research to enable institutions to proceed with curriculum and knowledge innovation in ways that are informed by empirical investigation into the impact of existing innovations as well as by theoretically rich and complex analysis of the underlying assumptions and implications of such programmes remains underfunded. The skills that are needed to build cultures of anti-racism in administrative structures, in residences, the sporting and cultural arena as well as in teaching and learning are not present in the degree to which they are required and again, the development of these skills and the capacity to train and educate others in meaningful ways, will take an injection of resources. The HEIs have been concerned then, in their responses to the Report to point to the need for a dynamic interaction with the Ministry concerning ways in which their transformation efforts can be supported and resourced as well as monitored and evaluated.

Introduction

In March 2008, then 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*. The Committee was tasked with investigating 'discrimination in public higher education institutions, with a particular focus on racism' and with making recommendations to the Minister concerning how higher education institutions might better combat discrimination and promote social cohesion. The Committee was asked to report on the nature and extent of racism and racial discrimination in public higher education, particularly the university residences, as well as other forms of discrimination such as gender, ethnicity and disability and on the steps that have been taken by institutions to combat discrimination. The Committee was further asked to provide an assessment of the strengths and weaknesses of existing interventions and to advise the Minister on the policies, strategies and interventions that might be needed to combat discrimination and to promote inclusive institutional cultures for staff and students, that are based on the values and principles enshrined in the Constitution.

In order to fulfil its brief the Committee relied on documentary analyses, secondary literature, analysis of submissions by HEIs, questionnaires completed by the various institutions, Higher Education Quality Committee (HEQC) Institutional Audit reports, as well as interpretation of policy and strategic documents. A public media call was made for submissions by individuals and organisations and all institutions were visited by the Committee which interacted with various constituencies including Councils, executive managements, student leaders, academic and support staff representatives, staff associations and trade unions. The final Report of the Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions was completed in November 2008 and released in April 2009 (Soudien, Michaels, Mthembi-Mahanyele, et al. 2008). It includes some forty recommendations to the public higher education sector on policies, strategies and interventions needed to combat discrimination and to promote inclusive institutional cultures for staff and students based on the values and principles enshrined in the Constitution. Subsequent to the Report's release, the then Minister of Education wrote to university Councils asking them to respond to the findings of the Report and to advise what processes each institution is undertaking to deal with racism and other forms of discrimination.

The present document, commissioned by Higher Education South Africa (HESA) consists of an analysis of institutional responses to the Report with a view to bringing together some of the key analytical and practical themes emerging from those responses to the Report that have emerged from the sector to date. The document, reflecting the institutional responses, is both a critical engagement with the Report, detailing areas where there are views emerging from the sector that differ sharply with some of the analysis as well as the recommendations of the Report, as well as areas where there is broad agreement in the sector with the findings of the Report. Additionally the document attempts to highlight some of what is being done in the sector to address the challenges faced by the higher education sector with respect to advancing transformation and social cohesion and eliminating discrimination. Many such practices, it should be noted, were already highlighted in the individual institutional submissions to the Committee. The present document will not rehearse the contents of those earlier submissions but will rather synthesise some of the initiatives that institutions have pointed to in their responses to the Report which are germane to the specific recommendations and assessments made in the Report. Rather than singling out programmes at individual institutions this section of the paper provides a general overview of the types of measures that are being taken throughout the sector.

1. General Comments on the Report

The Committee took as its starting point Education White Paper 3's vision of a transformed higher education system (Ministry of Education. 1997). The White Paper envisages the establishment of a single national coordinated higher education system that is democratic, non-racial and non-sexist. The overall finding of the Report was that the sector's understanding and interpretation of transformation, discrimination and social cohesion is broadly consistent with that of the White Paper (2008:39). The Committee argued that transformation incorporates three elements: policy and regulatory compliance, epistemological change, and institutional culture and the need for social inclusion (2008:36). It suggested that while institutions have gone a long way to achieving regulatory compliance, concerns remain concerning policy implementation and the larger questions of transforming curricula and institutional culture.

There is no denying that transformation, as the Report argues, is a challenge facing all South African higher education institutions, irrespective of their historical origins (2008:28). The institutions recognise and acknowledge the importance of their role in promoting a

culture of human rights and advancing the socio-economic rights of South Africans as central to the challenge of developing and sustaining democracy. That said it needs to be acknowledged that there is enormous variability across the sector. Institutional histories, student bodies, staffing, curricula, contexts and circumstances differ greatly from one institution to the next. This means that different institutions not only face different challenges but are differentially placed to meet those challenges. Nevertheless, as public bodies, the institutions share, across the sector, the twin responsibilities of making themselves accessible to South Africans and serving the needs of South Africa. As a sector, those twin responsibilities are acknowledged. However it needs also to be recognised that there is a legitimate debate to be had firstly about how to interpret what those responsibilities mean in practice and secondly how to go about realising them.

One of the difficulties which the Committee faced in its work concerned the fact that the response to the call for institutions to aid the Committee by presenting their own narratives describing their policies, interventions, monitoring measures and the outcomes of these, was very variable. Institutional submissions ranged from those that remained at the level of describing policies and interventions to those that described also implementation and monitoring procedures to those that included in their submission evidence-based attempts to measure the outcome of the interventions that had been implemented. Similarly not all institutions have responded to the Report itself. Clearly, there has been variability in the extent and nature of the sector's engagement with the work of the Committee. While on some campuses the Committee's process of investigation into issues of transformation, the elimination of discrimination and the promotion of inclusion, has been a catalyst sparking important debates and processes which otherwise might not have happened or might have been postponed, this has clearly not been uniformly the case throughout the sector.

In the same way as there could not be said to have been any single 'institutional responses' to the mandate of the Committee nor can there be a sector response which voices a single overarching 'position' on the Report or indeed on questions of transformation and the elimination of discrimination in higher education institutions. In each of these institutions, as is the case with the sector as a whole, there are multiple voices speaking different positions from varying standpoints which may coalesce around certain issues and diverge on others. The intention in the present document, then, is not to try to present a single, seamless response to the Ministerial Commission's Report which would be misleading. Rather the intention in part is to reflect this multiplicity as well as drawing out some of what is common in the sector. The paper further suggests what institutions could be learning from one

another's good practices and how institutions are, on many different fronts, making the critical move identified in the Report from good policies dealing with issues of transformation and discrimination to good practices, along with mechanisms of monitoring and accountability for the implementation of those policies and practices.

While there have been varying responses to the work of the Committee what is clear is that a great deal of information has been generated in this process and institutions have devoted considerable time and resources to making that information available. By the Committee's own admission it was not in a position, given the timeframes within which it was working, to do the painstaking analytical work that would be needed in order to do full justice to processing and interpreting this material. While the Report criticises universities for the variability of their responses to the work of the Committee it does need to be recognised that many institutions operate under difficult conditions and that the more demands are placed on them to provide information and data that is not always fully utilised or processed in order to extract detailed interpretation and meaning from it, the less time there is to perform core functions. Since many institutions have devoted considerable time, expertise and resources to this exercise it is their hope that the Department of Higher Education and Training would take up the suggestion in the Report that it develop a future strategy for analysing the large body of data that is now available.

One of the critical points that the institutions will take up from the Report is its emphasis on the importance of initiating debates and discussions that are honest and open. Some of the testimony in the Report indicates a failure to create a climate of openness where views can be aired sincerely and without fear of being stigmatised or labelled. In short the creation of a culture of acceptance of the need for, and legitimacy of, what might sometimes be difficult discussions with the potential to impact on participants in very personal ways. Institutions have taken notice of the widespread perception that emerges in the Report that these critical discussions are either absent or, if they do happen, are superficial and lacking in a sense of genuine willingness to engage and to shift entrenched mindsets, perspectives and positions. While it is acknowledged that universities unavoidably reflect the attitudes and behaviour that prevail in broader society, responses to the Report reflect a clear acceptance that the role of higher education institutions is to provide leadership in changing those attitudes and behaviours where they are founded upon prejudice, discrimination and exclusion. That said the concern in the sector is to make the point that while there are commonalities among institutions there are also differences that need to be taken into account when proposing or designing measures and interventions in the sector. Responses therefore caution against

'one size fits all' approaches and appeal for the specificities of institutional histories, conditions and challenges to be appreciated. Public higher education institutions are both institutionally autonomous and publically accountable. The judicious balancing of these two important principles emerges as a common thread running through many of the responses to the Report.

2. The Core Concepts: Transformation, Discrimination and Social Cohesion

In some of their responses to the Report, institutions have sought critically to engage with the core concepts in the Report, notably transformation, discrimination and social cohesion, making the point that analytical and definitional tools and how they are interpreted and understood have enormous implications for how we understand the challenges that we face. In part then, the debate that is in progress in the sector and that needs to be further advanced and sharpened, concerns these very terms.

- **Transformation**

In order to be able effectively to advance programmes aimed at transforming higher education institutions there is a need for dialogue on the concept of what a 'transformed' institution would look like in order to know what the objectives are and thus to have some sense of how to achieve those objectives. But transformation is a contested concept with different constituencies within universities and from one university to another seemingly working with differing conceptions of what transformation might mean. On the one hand, as HEIs the inclination is not only to tolerate but to foster and welcome genuine debate and disagreement. For this reason it has not been appropriate to simply adopt a cookie cutter definition of transformation which can be uniformly and universally applied. On the other hand, however, it is recognised that there is at times an absence of a willingness genuinely to engage with the notion of transformation as having potentially far reaching implications for institutions. Underpinning debates and disagreements which are ostensibly about the meaning of 'transformation' often lie solidified political and ideological positions. This means that when powerful interests take differing positions it is difficult to find ways of bringing these understandings closer together. And this is an enormous impediment to being able practically to implement a transformation agenda.

For its part, the Committee saw itself as operating within the framework of South Africa's Constitution which prohibits discrimination on grounds of race, gender, sex, pregnancy status, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. Furthermore the Committee employed *Education White Paper 3: A Programme for the Transformation of Higher Education's* conception of transformation as requiring 'that all existing practices, institutions and values are viewed anew and rethought in terms of their fitness for the new era' (Ministry of Education. 1997).

The White Paper advances a clear understanding of what a transformed HE landscape would look like, envisaging a higher education system that:

- promotes equity of access and fair chances of success for all;
- eradicates all forms of unfair discrimination;
- advances redress for past inequalities;
- meets, through its teaching, learning and research programmes, national development needs including the economy's high-skilled employment needs;
- supports a democratic ethos and a culture of human rights through education programmes 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;
- contributes to the advancement of all forms of knowledge and scholarship and upholds rigorous standards of academic quality.

The White Paper included among its goals:

- the provision of advanced educational opportunities for an expanding range of the population;
- improvement of the quality of teaching and learning throughout the HE system;
- curricula that are responsive to the national and regional context;
- the production of graduates with the foundations for lifelong learning including critical, analytical, problem-solving and communications skills as well as tolerance and the ability to deal with change and diversity;
- 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;

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

Transformation is thus understood as much more than mere compliance with national policy goals, and incorporates both formal processes in the university (teaching, learning, research) and more informal processes including both the day-to-day ways in which people interrelate with one another and the traditions, customs, habits and symbols which are the matrix within which those relationships occur. The Committee argued that any agenda for transformation in HEIs would have to incorporate 'the necessity to examine the underlying assumptions and practices that underpin the academic and intellectual projects pertaining to learning, teaching and research' (2008:11) thus emphasising that transformation is a challenge facing *all* institutions.

The Report criticises the institutional submissions for, on the whole, assuming that they were working with a common understanding of the transformation agenda whereas in fact there were tensions and contradictions among the various constituencies' within particular institutions in their approach to, and understanding of, transformation. The Report argues that this is the result of the absence of dialogue and engagement in institutions. This is not necessarily a conclusion that can readily be supported since it seems to suggest firstly, that where there is dialogue consensus will inevitably emerge and secondly, that consensus is desirable. Several submissions posit instead that while the call for greater interaction is accepted there is a need to work in dynamic ways with the irreducible existence of differences, conflicts and tensions. Rather than seeking conformity or homogeneity, what is valued is critical, reasoned and reflective interaction which is tolerant of a diversity of views. The lack of consensus that the Report remarks upon should be viewed as much less disturbing than is its observation that a pervasive fear of victimisation (2008:113) is reported by some members of university constituencies as a reason why they do not feel free to participate fully and air views that might be critical of prevailing orthodoxies.

- **Discrimination**

The Report makes the important distinction between fair discrimination (for instance discrimination aimed at redress) and unfair discrimination (which is unreasonable and unjustified). While the Committee employed a broad definition of 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’ (2008:24) the focus of its work was on racism. The argument for this focus was twofold: firstly because racial discrimination had been highlighted in its Terms of Reference and secondly because ‘race has come to be the major fault line in South Africa’s social, economic and political relations’ (2008:25). There is debate among and within universities as there is in society concerning this foregrounding of race as an analytical category and its characterisation as *the* major fault line in our society. Several institutional submissions to the Committee sought to provide a more nuanced analysis in order to begin to suggest the intricate ways in which race, class, gender, ethnicity, sexuality and disability need to be understood as working together if we are to advance our understandings of how discrimination plays itself out in practice.

The Report makes the curious point that what distinguishes racism from other forms of discrimination is that ‘it is an ideological phenomenon’ (2008:25). Rather than taking up the debate here it is important simply to note that firstly the way in which this argument is advanced in the Report would need to be debated and discussed at some length in order to tease out the complexities of different possible positions concerning the relationship between different forms and levels of oppression and discrimination. Suffice to say that many social theorists would find it difficult to accept the bland way in which the question is treated in the Report. As Wits University notes in its response to the report ‘to eradicate any form of discrimination and prejudice in higher education it is important that the best analytical and definitional tools be deployed to critically understand contextual and situational manifestations in their complexity. With regard to racism it is important that its manifestations historically, during apartheid, and its continued presence in our society and institutions be understood in a more nuanced way’ (2010:3).

- **Social Cohesion**

The Report makes the point that most of the institutional submissions were silent on the concept of ‘social cohesion’. The Committee correctly identifies the possibility that the

silence might relate to the fact that the concept is contested. Indeed this is a concept which requires greater interrogation and debate since it touches on some of the most profound disagreements which we have as South Africans; disagreements which are mirrored in a very fundamental philosophical schism in democratic theory. The University of Cape Town's submission to the Minister described the distinction as that between a more republican understanding which is accepting of criticism and disagreement with those views in society that are powerful and seen to be the voice of the majority, and a more nationalist conception of social cohesion which describes for itself the goal of building political consensus (UCT 2008:1). This is a debate not only in democratic and political theory but also in universities where it may take the form for instance of disputes about the meaning of academic freedom (from political influence or interference in particular), or about the academy's obligations with respect to meeting the developmental needs of the country through applied research versus curiosity driven research which is not directly focused on meeting particular pressing social imperatives.

While some would be critical of a perceived failure on the part of universities to engage more fully and enthusiastically with the challenges of the country, adopting instead an attitude of constant critique and questioning which is perceived as undermining of government, others regard the latter attitude as the university's most important and demanding role in society. Universities, so the latter view goes, are places where ferment and dissent are embraced. Cohesion, in this view, smacks of suppression of dissenting or unpopular views in favour of 'national unity' and cannot reside comfortably in a university setting. Thus, some institutions expressed the concern that the idea of social cohesion suggested a drive towards homogeneity whereas the transformation agenda was seen as one of celebrating diversity and a multiplicity of perspectives. One suggestion (see NMMU 2010) was that the value of *ubuntu* might better encompass the intention of the sentiment of social cohesion, focusing on the individual as part of a collective. A third view suggests that emphasising cohesiveness in the current context is problematic because of the possibility that this would lead to the silencing of grievances (see for instance the University of KwaZulu-Natal's submission to the Minister, 2008:16).

In employing the idea of social cohesion then, we need to take care to say what it is that we mean. Clearly transformation must incorporate the capacity of institutions to create a sense of belonging for all their members. But belonging need not imply the absence of disagreement. On the contrary it may be regarded as a necessary condition for creating a climate of debate that is more inclusive of vantage points that are currently silenced or

excluded. It is recognised that a climate of inclusivity can only be built by paying attention on multiple fronts including research, teaching, student social life, community engagement, informal interactions, recreational, cultural and sporting facilities and settings, as well as at the symbolic level of architecture, signs, flags, songs and traditions.

3. Responses to the Report's Analysis of Key Aspects of the Continued Existence of Discrimination at Universities

The Report finds that multiple forms of discrimination continue to exist throughout higher education institutions. In response, the sector has unequivocally acknowledged that institutions are by no means untouched by the legacies of the past and the continued inequities of the present. Rather than simply recognising these as unfortunate realities, however, there is a recognition of the need to begin to prioritise meeting the challenges of transformation in a much more sustained and focused way.

- **Subtle racism**

The Report found that while direct manifestations of racism on campuses is mostly absent, subtle, subliminal and indirect racism continued to be experienced as widespread and ubiquitous. By its very nature subtle racism is often not 'seen' by those who do not experience it. This can result in racially polarised responses to charges of racism and discrimination with white staff and students at times failing to see the problem which only adds to the pain and humiliation felt by those who experience racism. By its very nature, covert discrimination is difficult precisely to identify and measure so that redress in such instances is inherently difficult to achieve. While specific instances and allegations naturally need thoroughly to be investigated and appropriately followed up, what is important is that institutions accept responsibility for taking the initiative to create institutional cultures which do not act as a substratum that is supportive of, and conducive to, subtle racism thriving, rather than simply adopting an approach which is reactive and individualised.

- **Sexism**

The Committee's view that the impact of sexism is as pernicious as that of racism is acknowledged and accepted. Women continue to experience painful exclusion,

discrimination, victimisation, violence and sexual harassment across the sector. Questions of sexism and patriarchy were not highlighted in most of the institutional submissions to the Committee, most likely as a result of the emphasis on race in the Committee's own terms of reference. It seems clear nevertheless that there is sufficient evidence presented in the Report to suggest that wide-ranging initiatives are needed to make women safer and to forge institutional cultures that are women-friendly rather than expecting women to thrive in conditions where the expectations, norms, values, traditions and ways of behaving derive from masculinised conceptions defining what is 'normal' or average.

- **Xenophobia**

While questions of discrimination on grounds of ethnicity did not form a large focus of the institutional submissions to the Committee nor of the ensuing Report, it is clear that xenophobia is present on university campuses in the same way as it is present in wider society. Universities made the point that they are subject to larger social processes rather than being immunised against them. Where xenophobia manifests itself in society it will likely also manifest itself at higher education institutions. As places which pride themselves on the tolerance of diversity and the desire to embrace difference and to see the existence of varying points of view as essential to the process of knowledge production, HEIs see themselves nevertheless as having a special responsibility to create a climate that is intolerant of prejudice and impulses towards conformity. Institutions see themselves as needing much more assertively to recognise and proclaim the deep sense in which the existence of diverse experiences in lecture theatres and residences is absolutely central to their being able to be universities since the very definition of the latter is tied up with truth-seeking in the context of dissimilarity and a multiplicity of views and interpretations.

- **The needs of the disabled**

There is consensus across the sector that far more needs to be done both in terms of infrastructural remodelling and educational structures and modes in order to make institutions more inclusive places for those who suffer from disabilities of one kind or another. Because disability is an umbrella term, once we move beyond formal policies, in

practical terms there is a sense in which institutions need to be willing to be responsive to the particular needs that present themselves on a case-by-case basis. Moreover the attitude needs to be one of creatively and proactively seeking solutions to the challenges presented by different kinds of disabilities. The approach needs to be a consultative and listening one so that it becomes possible to design multifaceted and appropriate packages of solutions to meet different kinds of challenges. There is much that needs to be done to shift attitudes so that the onus to create a fully inclusive environment is taken on by the institutions rather than placing the burden on the individual to fit in as best they can.

4. Staff Equity and Development

4.1 Conceptual Overview and Critical Engagement

The Report makes the point that except for support staff, personnel at universities remain predominantly white (2008:53) with the headcount of black academic staff having increased only marginally between 2003 and 2007 (from 36 per cent to 39 per cent). The same is true of executive and managerial staff. Women continue to be located primarily at the junior levels and remain underrepresented in the professoriate. The Report notes that the ability of women to advance to more senior levels is impeded by their continuing primary care responsibilities. There is no gainsaying the fact that higher education institutions have failed to adapt their cultures, practices and facilities in order to reinvent the current masculinised ideal worker norm. It is accepted that as long as HEIs continue to work within the bounds of norms that are defined by men's primary experience rather than inclusive of the ways that the majority of women's lives work, they will continue to discriminate against women when it comes to prospects for promotion and advancement.

The Report challenges the perception that the key reason for the failure to retain black academic staff relates to salaries, pointing out that the institutional submissions provided no evidence for this assertion when it was made and that, instead, evidence does exist to suggest that the reason for black staff leaving higher education institutions more often relates to questions of institutional culture and discrimination faced by black academics. Several institutional submissions to the Committee acknowledged this, pointing to multiple ways in which black academics report feeling excluded from the informal networks and ways of operating that ease the progress of white academics while making it more difficult for those who do not have access to these informal, unwritten mechanisms, to flourish. These

include for instance the reactions of students, support staff and colleagues to black academics. Perceived errors or deficiencies on the part of the latter are magnified as a result of being seen through racialised lenses while white academics continue to be the privileged invisible norm against which everyone else is measured. Entry of new black staff is often impeded by the absence of effective mechanisms for monitoring appointment processes and ensuring that those who are responsible for overseeing these processes are able to account for decisions with respect to compliance with employment equity policies. Where compliance is lacking there is an absence of sanction and this renders our employment equity policies much less effective in their capacity to effect change that they otherwise might be.

It is acknowledged that there is a need to move beyond a narrow focus on implementing policy targets to tackle what the Report calls 'the almost ubiquitous sense of disenchantment, alienation and anger amongst [black staff]' (2008:57). This is a difficult message to hear but it speaks to the most important challenge which HEIs face, namely that of addressing the very subtle and complicated terrain of institutional culture. Universities are clearly not providing a home for all when staff feel that they are unable to speak freely about their experiences even in exit interviews for fear of further victimisation. As the Report notes (2008:59), echoing the White Paper (1.24 [4]), this is particularly troubling in a HE context since universities pride themselves on providing a context for open, critical debate and exchange of ideas.

Despite institutions being capable of generating sophisticated analyses concerning the raced, gendered and classed nature of society their remains an enormous gulf between analysis and practice. To turn this around there is a need to begin to pay attention to the myriad small ways in which raced, classed and gendered norms continue to inform practices ranging from orientation programmes, residence meals, sporting celebrations, welcoming gatherings, entertainment activities, decor, curricula, library hours, transportation, class times, meeting times and any number of other details. It is in the minutiae that privilege and dominance are perpetuated and it is thus also at this level that it is necessary to be willing to engage with, contest and question 'normal', day-to-day, business-as-usual practices.

4.1 Engagement with the Specific Recommendations of the Report

- (i) Recommendations to the Minister of Education

- **Earmarked funds for staff development posts to be made available, especially for nurturing and mentoring black staff members to take up senior level positions (2.1).²**

A number of universities have programmes for the development of black and women staff that are supported by donor funds. Nevertheless it is acknowledged that a range of interventions are required to counter the deficiencies in their ability to identify and retain black and female members of staff. HESA is currently developing a proposal for discussion with the Department of Higher Education and Training (DHET) for a sector wide programme. Earmarked funding has been proposed for a number of years without success and would be strongly welcomed by the public higher education sector. In the establishment of any such programme, careful consideration must be given to an institution's ability to fund such a programme on its own, the access it has to donor funds and the affordability and sustainability of any programme. The financial position of some institutions places limitations on their ability to institute such programmes. New funding injected into the system would be needed rather than redirecting existing funding. It is proposed that provision be made for supernumerary compensation for scarce skills in fields such as engineering and accounting.

ii) Recommendations to Higher Education Institutions

- **Programmes aimed at identifying and retaining black and female members of staff should be linked to the creation of posts to ensure job security for participants in such programmes. Resource allocation for such posts to form part of institutional planning processes. Packages for such staff to be competitively structured and at least favourably comparable to entry-level professional posts in the public service (7.1; 7.3).**

While this is one strategy, universities argue that there are also others that could be pursued. It is debatable whether such a strategy would be affordable for all institutions, outside of earmarked state support. Financial support for new and aspiring members of staff and state ring-fenced funds for this purpose would be greatly welcomed and is considered long overdue. Sufficient funds are needed to encourage promising students, especially from working class and rural poor backgrounds, to pursue postgraduate studies and remain in academia. The current value of NRF scholarships and bursaries is inadequate. The financial viability and sustainability of such programmes would need to be explored, given the differences in available financial resources at various institutions. While some institutions

² Numbering corresponds to that of the Executive Summary of the Soudien Report.

have themselves taken up the challenge of finding additional sources of funding to support and mentor staff members upon their entry into academia, if this to be extended and generalised, additional state support would be required. Sympathetic donors want to see the state also assume responsibility before providing funding.

Rather than leaving employment equity planning to senior managers institutions point to the need for greater involvement at faculty level with the drafting of employment equity plans and for senior academics to play a role in mentoring emerging academics. Multifaceted approaches are needed to enhance the ability of institutions to retain and develop emerging academics involving for instance equity plans, HRD plans and research and development programmes at institution level.

Two approaches emerge on the issue of salaries. One is that all academic salaries need to be reviewed and made more competitive. A second is that specific structured packages or incentives should be made available to black and female academics. Sharp disagreements arise between the two positions because some feel that the second is unacceptable and discriminatory. Others feel that there should be room for discretion at the executive level when employing salary incentives to retain and attract black and female staff.

- **Steps to be taken to educate and discipline students who behave in a racist manner towards members of staff (7.4).**

Institutions acknowledge the need to act proactively to forestall, as well as acting decisively against, incidents of racism. The need for appropriate processes to be in place for staff to report incidents of racism and for follow through regarding such incidents is also recognised. However, it was pointed out by some institutions that the problem lies not so much with the unwillingness of institutions to take action against those accused of racism but rather with the unwillingness of staff to lodge such complaints given that this potentially reaffirms their social disempowerment. The issue needs to be taken up therefore not only at the level of educating and disciplining students but also as a component of staff training programmes which should deal with mechanisms for confronting and dealing with racist behaviour.

- **Institutions to put in place clear, transparent and transformation-supporting guidelines pertaining to promotion requirements (7.5).**

Several institutions in the sector have recently or relatively recently engaged in very extensive processes of reviewing their promotions criteria. Where this has not happened its importance is recognised. What is likely to be controversial is what is meant by 'transformation-supporting' promotion guidelines and to what extent existing policies do deliver this goal. The desirability of formalising transformation goals in the form of promotion guidelines is seen as problematic by some institutions and will need to be articulated and debated further.

- **Institutions to put in place clear and transparent policies for the appointment of retired staff members in supernumerary and contract posts and to ensure that such appointments are not inhibiting transformation prospects (7.6).**

Several institutions do have protocols in place in this regard. Where they do not exist the need for clear and transparent policies to be put in place which take into account the importance of employment equity is acknowledged. However it needs to be recognised also that different institutions face differing conditions and challenges. Equity is pursued in the context of multiple goals and priorities and individual institutions must be free to manage the tensions inherent in pursuing these goals. In areas of scarce skills for instance the employment of retired academics at some institutions is directly linked to their programmes of growing their own timber.

- **Vice-chancellors to be held directly accountable for the achievement of employment equity targets (7.7).**

There is broad agreement in the sector regarding the need for vice chancellors to take ultimate responsibility for employment equity. But it is suggested that rather than prescribing the form of accountability ('performance contract') institutions should be free to determine appropriate accountability measures. Institutions made the point that it is necessary also to articulate the ways in which accountability cascades to Deans and other senior executives.

In developing indicators and monitoring measures it is important that we develop qualitative interpretations and narratives rather than merely relying on numerical indicators.

- **Councils to be directly responsible for monitoring employment equity by establishing an employment equity sub-committee, chaired by an external member of Council (7.7).**

While it is accepted that Councils are responsible for monitoring the achievement of employment equity targets in the last instance this need not necessarily be achieved by the establishment of employment equity sub-committees. In many instances existing structures such as the Human Resources Committees of Councils are able to fulfil this role. The need to monitor the effectiveness of employment equity implementation is supported but many institutions feel that this monitoring function is mainly and most effectively performed in practice by staffing committees and/or equity committees as well as being integrated into the performance management of deans and heads of schools.

- **Institutions to develop monitoring mechanisms to ensure that all interview processes routinely include review protocols to guarantee that the principles of fairness and objectivity are observed. Interview panels for staff appointments should reflect, as well as be sensitive to, the issues of race and gender equity (7.8).**

It was pointed out by some institutions that while policy is in place prescribing the need for representivity on selection panels, existing staff equity profiles sometimes make this difficult to achieve in practice. Some institutions would wish to see special training for staff as a pre-condition for serving on selection panels.

5. Student Equity and Development

5.1 Conceptual Overview and Critical Engagement

The Report identifies access and success as the key factors that need to be addressed in order to ensure progress towards student equity. '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' (Soudien et al, 2008:40-1). Of particular concern is the low proportion of overall enrolments of African students (12 per cent in 2006) and the inflated proportion of white students (as a percentage of the relevant age cohort) enrolled in Master's and doctoral programmes as compared with black students. Clearly the ability of institutions to change the demographic profile of their Master's and doctoral enrolments will have a knock-on effect on their ability in the longer term to change the profile of the professoriate as well as of managers in the economy more broadly.

Enrolments are one aspect of student equity, success rates are another. Here too the news for universities across the sector is not good with white students enjoying success rates on average that are twice as good as those of their black counterparts. HEIs emphasise that care needs to be taken for the emphasis that has been placed on enrolments to be matched with equal efforts at making these institutions places where all who are admitted have an equal chance of success. The challenge here is much more complicated than the challenge of changing the demographic profile of the student intake since what determines the capacity of someone to thrive in an institution is so multifaceted, ranging from where and how students live, to the resources (both material and non-material) they have access to, to the language of instruction, prior education experiences and the way in which they are treated when they enter the university environment. In acknowledging this complexity university's are not suggesting that they are content with hand-wringing but rather that there needs to be a sober assessment of how much there is to do and how much creativity along with resources will be needed to meet the challenges.

5.2 Engagement with the Specific Recommendations of the Report

(i) Recommendations to the Minister of Education

- **Support for the review of the current undergraduate degree structure 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 desirability and feasibility of the introduction of a four-year undergraduate degree (3.1).**

There is support for the call for institutions to be alert to the development of curricula that are responsive and relevant to the social and political context in which graduates will find themselves. In many instances extended degree programmes are already in existence and institutions do take responsibility for regular review of their appropriateness and efficacy. However the form that this process of critical reflection should take is not agreed upon. While many universities are broadly supportive of the idea of a comprehensive review of the undergraduate degree structure, the point was made that Government should not be looking only at the four-year degree as a solution but should also consider other alternative solutions to identified problems, some of which may be less expensive to implement. Moreover the efficacy and desirability of an expensive, time-consuming and resource sapping national sector-wide review as opposed to ongoing processes of review and reflection from within is questioned.

Support for the idea of a four year undergraduate degree is thus qualified at best. While some feel it may be a way of addressing student learning needs, improving throughput rates and better preparing students for the world of work others have argued that the real problem lies with the quality of school education. HEIs point out that if the model is to be adopted it would need to be employed across the sector rather than by individual institutions because it has the potential negatively to affect how those institutions which do adopt the model are able competitively to position themselves in order to attract students. Moreover the cost implications and potential financial strain on students needs to be considered. Responses to the Report argue that such a programme should be voluntary and should incorporate sufficient flexibility to allow students to finish in three years.

- **Review the role of academic development programmes and how these might fit in with a new four-year formative degree (3.1).**

The need for ongoing review of academic development programmes and particularly in light of a review of the overall degree structure is supported. There is a great deal of work to be done concerning extended studies programmes as mechanisms of support and the universities are aware of this. Work to be done ranges from finding ways of ensuring that such programmes are properly resourced to looking critically at the existing content of the programmes. The sector is not yet in a position, as a whole, to come to sound assessments of whether or not the right pedagogies are being employed in these programmes, based in careful research and evidence for what the needs of participants are and how they can best be met.

- **Earmarked funds allocated to support curriculum development initiatives (3.2).**

It is suggested that such funding be associated with targeted deliverables. Universities of Technology which need to have their qualifications re-curriculated and approved are in particular need of funding for this purpose. It may be viable for funding to be allocated on a regional basis.

Of concern is the fact that those institutions which have high pass and graduation rates, do not receive any earmarked teaching development grants. Consideration needs to be given to the view that institutions that meet or exceed their pass/graduation rates or benchmarks should also be eligible for teaching development grants for curriculum development and academic development initiatives.

While there is support for the idea of earmarked funds to support curriculum development initiatives, the proviso is that receipt of funding should not in any way compromise institutional autonomy to decide on what the most appropriate initiatives for the development of their curricula should be.

- **The Minister to leverage additional resources to expand the NSFAS to facilitate access to higher educational facilities including accommodation for financially disadvantaged students, as well as facilitating the success of these students once access is gained (4.1).**

Additional investments in the National Student Financial Aid Scheme are required to ensure equity of access, opportunity and success. The view has been expressed that financial assistance in the sector needs thoroughly to be reviewed especially in relation to students who are performing well academically but who face financial constraints which may impede their ability to continue with their education or to succeed. It may be that universities will have to look into new funding models to expand student accommodation facilities and sharing of information and ideas across the sector would be helpful in this regard.

- **Financial support to students studying in fields where skills are scarce (8.1).**

The sector is broadly supportive of this recommendation but argues also that there is a need to look at the possibility of lobbying more aggressively for private sector bursaries in scarce skills sectors. Some institutions have questioned the validity of race as a criterion for financial assistance in scarce skills sectors, arguing instead for means testing that is racially inclusive. It is not self evident that white students from poor backgrounds who have a contribution to make to scarce skills sectors of the economy should be excluded from doing so for lack of financial support.

ii) Recommendations to Higher Education Institutions

- **Universities to devise approaches to improve student throughput rates (8.1).**
- **Clear and transparent criteria and guidelines which are clearly communicated to all students as part of admissions processes to be developed for admission of students to academic development programmes to avoid racial stigmatisation of participating students (8.2).**

The Committee argued that while academic development programmes are indispensable they appear in many instances at present to be acting as vehicles of racialisation. Several

institutions are in the process of review of their programmes. Universities are aware of the importance of an assessment of academic development programmes that includes not simply questions of success and throughput rates but also crucially of student experiences within the programmes with respect to race and racialisation. In order to achieve this sophisticated qualitative research mechanisms and forms of analysis will be required which go well beyond the usual way in which such programmes are measured to incorporate also elements of what some education theorists have termed the 'hidden curriculum'.

Appropriate mechanisms for meeting needs without the customary accompanying problems of stigmatisation of participants are being debated but there is no consensus on what these might be. Some suggest that general admissions testing provides a mechanism that can be used to determine placement in such programmes. Others argue that access programmes should be compulsory for all students who fail to meet a certain threshold of academic achievement. A fundamentally alternative view is to suggest that it would be more appropriate to integrate and mainstream academic development outcomes into the core curriculum because all students could benefit from these. This view overturns the deficit model according to which particular students are thought to be deficient in some way or another and thus in need of support in favour of the idea that mainstream pedagogies and curricula need to be rethought to incorporate diverse learning needs, experiences, educational backgrounds and learning styles.

Overall it is acknowledged that universities must devise mechanisms, including financial support, to improve throughput rates. One of the most urgent needs is the development of admissions criteria that appropriately identify student potential across racial boundaries.

- **The introduction of compulsory staff development programmes to familiarise staff members with, and sensitise them to, the learning needs of students from diverse backgrounds (8.3).**

In many instances staff development programmes do exist and it would be beneficial to incorporate sensitisation with respect to diverse learning needs into such programmes where this is not already the case.

- **Institutions to take serious steps to both protect and promote the interests of women including for instance gender sensitisation campaigns and confidence-building programmes (8.4).**

The point was made by more than one institution that this recommendation, however well-intentioned, implicitly constructs women in a particular way and adopts a deficit model of their development. The onus is placed here on women as somehow lacking in certain capacities ('confidence' for instance) which is seen, by implication, to explain their failure to advance up the academic hierarchy. The problem lies of course instead with gendered institutional practices and a culture infused with patriarchal norms and assumptions, rather than with women individually or collectively. If there is one concrete intervention that emerges as a priority starting point, by far the most pressing concern of women on most campuses relates to physical safety and security.

- **Institutions should complement their disability policies with an institutional plan to support the learning needs of students with disabilities (8.6).**

While many universities do provide some support for disabled students on an individualised basis there are numerous buildings on every campus that still restrict access for disabled students. Financing is needed to enable institutions better to be able to cater for the diverse learning needs of disabled students. Institutions need to look into the possibility of regional sharing of scarce resources. It is acknowledged that much more can and should be done in this regard.

6. Student Living

6.1 Conceptual Overview and Critical Engagement

The Report is critical of 'macro quota' systems used by some institutions to create greater racial integration in their residence systems. It argues that when a macro quota system operates alongside a 'freedom of association' principle in the allocation of rooms within residences it results in internal segregation. This may be true either of shared rooms or corridors within residences, giving rise to 'white rooms' and 'black rooms' and 'white corridors' and 'black corridors' for instance. Moreover, the prioritisation of quota filling over meeting student needs leads to artificial allocations with rooms standing vacant even if there are black students available to fill them, simply because the quota of black students for a particular residence has already been filled. The Report argues that part of the problem lies in the decentralisation of room allocation systems, giving local management structures, often staffed by senior students, real control over which room is allocated to whom. In many instances house committees are dominated by white students who may work to ensure that existing ways of doing things in a particular residence are perpetuated rather than being active agents for change.

Given these realities, it is recognised by universities that they need firstly to look at centralisation of room allocation, where this is not already the case, given that who occupies which room can set an important trend in motion within a particular residence. Secondly there is an acknowledgement that it is necessary to pay attention to student governance structures within residences such as house committees and to ask who is making themselves available for election, who is being elected to these structures, why they are not as representative as they could be and what can be done to change this.

The Report notes that integration in university residence systems should not be interpreted only as an issue of integrating black and white students but also arises in contexts where students are predominantly black and perceptions are created for instance that coloured or Indian students are given preferential treatment or that maintenance and building standards in residences deteriorate when residences become predominantly African. Discrimination on the basis of ethnicity has also been alleged in these contexts with, for instance, local students feeling that preferential treatment is given to foreigners.

The Report addresses itself also to the existence, on several campuses, of informally organised hierarchical systems according to which newer or younger residence members are made to perform demeaning tasks or rituals to confirm their subordinate status. The HEIs concur that such rituals have no place in university life and that in some instances the insistence that they be eliminated needs to be reinvigorated. Universities are communities of scholars who share and debate ideas and the preservation of human dignity is the fundamental basis of ethical scholarship. It is agreed that there is no room for the existence of practices designed to enforce hierarchy through the ritualised subjugation of some and the elevation of others. Rituals of domination and subordination have no place in a free society and they compromise the equality and ethos of tolerance that is essential to the endeavour of universities.

All the same, this commitment has already been in place at all institutions for some time yet despite the banning of such rituals they have continued at some institutions. This is an instance in which the senior drivers of transformation at institutions need to take responsibility not only for driving policy change but also for ensuring that new policies are actually implemented (the banning of initiation rituals for instance); that there is a process of monitoring, reporting and accounting on the part of those who are at the coal face of implementation (such as residence management structures for instance) and that measures are taken to sanction those who do not vigorously implement both the letter and the intention of new policies.

While there are those who would seek to preserve existing ways of doing things based on the claim that they are preserving long-standing traditions clearly this is an argument which holds no truck in South Africa. Each of our 'traditions' has to be submitted to scrutiny rather than taken for granted. This applies as much to those traditions that grew up as part of the militarised and authoritarian way of life that characterised apartheid as it does to traditions which purport to legitimise the exclusion of women from the right to be treated as men's equals. This is central to the critical responsibility of universities in society. Traditions are social inventions, in the first instance, and they are made within specific social contexts, often giving voice to particular relations of power in society. The universities' responses confirm that there are no holy cows in the academy and that the primary role of the university is to seek to inculcate an attitude of enlightened and critical self-appraisal rather than a close-minded refusal to engage with the possibility that traditions, even those that are held dear, might need to change because they can be shown to be both harmful to individuals and detrimental to the intellectual purpose of HEIs. In particular, universities have expressed

their scepticism of the claim that rituals and traditions need to be retained because of the role that they play in promoting 'unity'. The latter is not a concept innocent of social relations. It points to the delineation of 'insiders' and 'outsiders' and the boundaries between the two are classed, raced and gendered thus perpetuating unequal power relations. Rather than being guided by how things were always done it is suggested the values of the Constitution act as a guide to deciding on how things ought to be done.

6.2 Engagement with the Specific Recommendations of the Report

(i) Recommendations to the Minister of Education

- **Resources to be made available for the construction of additional residences, especially at historically black institutions (4.2).**

Several institutional responses noted the massive shortages of residence places that is being faced by the sector – in one case 720 places available for over 12 thousand students, for instance. The funding required is therefore enormous and likely to outstrip present national capacity. At some institutions upgrading existing buildings to bring them up to an acceptable standard for students to live in is a major financial challenge. This is clearly far more than a question of bricks and mortar. It involves, as one institution put it, the reclaiming of residences as sites of learning where that imperative has been lost. This involves for instance setting up computer laboratories and reading areas and providing trained mentors to support, especially first-year students, as well as nurturing a sense of belonging in residences through creating a cultural life that promotes social cohesion.

ii) Recommendations to Higher Education Institutions

- **De facto racial segregation and discrimination that result in racially defined room allocations to be immediately abolished in favour of placement policies that create the opportunity for students from different backgrounds to live together (9.1).**
- **Rooms to be allocated either randomly or on the basis of an agreed upon set of criteria and this process to be stringently (centrally) monitored (9.1; 9.2).**
- **Processes to be put in place to ensure that residence committees are demographically representative (9.3).**

- **The organisational and governance structure of residences be reviewed to ensure that the power and authority that senior students have over junior students be removed entirely (9.4).**

While the concerns raised in the Report's analysis are shared by the universities, it is felt by some that with respect to recommendations, a mechanical approach emerges in the Report with an emphasis on forced integration or banning of homogenous residential patterns as ways of creating new patterns of student life in diverse residences, which is insufficiently nuanced. What happens in residence life, it is pointed out, cannot be understood in isolation from an understanding of students' home experiences and existing prejudices on arriving at university. These in turn can only be challenged by way of curricula that encourage critical reflection and an appreciation of diversity. Universities are concerned to stress, then, that there is no fast track to building an anti-racist culture and creating genuine and sustainable forms of social integration merely by outlawing practices or issuing decrees. While the recommendations are not rejected some argue that they miss the main point, introducing a worrying focus on a draconian system of monitoring and evaluation to ensure racial representivity instead of focusing on the deeper level of what it might mean for students to live together ethically under circumstances of mutual respect and equal dignity and how such ethical relations might be fostered in the long term.

- **All initiation ceremonies and activities to be banned and a toll-free, anonymous complaints line be established to allow students to register infringements of this policy with contravention punishable by expulsion (9.5).**

While a mechanism for dealing with complaints of this nature is warranted, institutions felt it should be up to them to determine the appropriate mechanism depending on their context. In some institutions, for instance, other kinds of hotlines such as ethics hotlines which exist to support anonymous reporting on financial and other integrity concerns, already exist and the mandate of these could be extended to include matters that are of relevance to transformation.

- **Institutional employment equity plans to be applied to residence employees, with a view to ensuring demographic representivity in the composition of residence managers (9.6).**

This is already in place in most instances but it is accepted that where this is not the practice it ought to be.

- **Training programmes in diversity to be instituted for residence staff to ensure that they are appropriately skilled and sensitive to diversity in the context of institutional policies (9.7).**

While this is in place already in many institutions, at present there are those institutions where training and knowledge sharing takes place on a more informal basis and it is accepted that this needs to be formalised and needs consciously and specifically to include training in diversity.

However, while such training might be acknowledged as potentially valuable, the Report does not address itself to the question of where this training and these trainers will come from. Again, it is important that the challenge be addressed at a more lateral level so that the real concern that emerges is the absence of an intellectual project which would serve to provide the foundations for building a culture of human rights in South African schools and universities. Merely to call for programmes in the absence of saying what the programmes would look like or what measures would be used to evaluate their effectiveness misses the main problem which is that few universities have substantive enough research and training programmes to facilitate effective interventions nor is there funding available for the development of such programmes.

7. Knowledge, Language and Epistemological Transformation

7.1 Conceptual Overview and Critical Engagement

- Curriculum

The Report makes the point that epistemological transformation – in other words re-examining our taken-for-granted assumptions about how we conceive of, construct and convey knowledge – is a necessary component of the transformation of HEIs. The Report argues that while HEIs have acknowledged that they need to provide intellectual leadership in society, they have not translated this into ‘any significant shifts in the structure and content of the curriculum to date’ (2008:90). The Report uses as evidence for this claim the fact that curriculum transformation was not discussed in most of the institutional submissions. The Report argues that the absence of transformation in the curriculum is unsurprising since 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’ (2008:90).

While the need for transformation of higher education centrally to incorporate an epistemological dimension is not disputed, the nature of the investigation conducted by the Committee and the nature of the institutional submissions which it received in particular, do not provide a sound basis upon which to make these claims or to assess in any deep way the significant curriculum shifts that have taken place in many different arenas throughout the sector. The outdated nomenclature of historically white and historically black it is felt by some, lacks the capacity to capture the current context of the sector with any accuracy or sophistication. All HEIs were in one measure or another creatures of apartheid and from the point of view of epistemology it is highly doubtful that *any* institution in the sector can claim to be free of the dominance and predominance of ways of seeing that are infused with problematic assumptions about knowledge and knowledge creation. There is a much more complicated story to be told however, than simply to suggest that the problem lies with Eurocentric curricula at historically white institutions. The nature of the investigation conducted by the Committee did not yield the evidence it would have needed to provide an

analysis of the existing state of play in curricula across the country that is nuanced or even remotely accurate. Such an analysis would require discipline specific knowledge and evidence and would need to apply units of analysis that are more relevant to contemporary experience than the division of the sector into historically black and historically white.

Similarly the idea of 'Africanising the curriculum' risks oversimplifying the imperative to provide nuanced analyses of the postcolonial condition. Such analyses are emerging in quite robust ways in many South African universities. This is not reflected in the Report firstly because of the lens through which it has defined the problem and secondly because it simply did not have a useful body of evidence to draw upon in order to reach informed conclusions about curriculum innovation. A single example may serve to illustrate the point. The Report for instance raises the idea of the absence of 'African Philosophy' from South African universities' Philosophy curricula and then apparently in critique of South African scholars says that it was left to an American to introduce *Ubuntu* as a Philosophy course (at Wits). These points reveal a complete ignorance and absence of evidence concerning actual curricula or the debates that have surrounded the design and development of those curricula. Firstly the idea of 'African Philosophy' has been critically engaged with by a wide selection of scholars several of whom have argued that the notion of 'African Philosophy' is problematic and to be avoided for its essentialising logic concerning the nature of 'Africans', 'African' thought and the 'African experience'. The point is that while the Report simply notes an absence as if it speaks for itself there are in fact quite sophisticated epistemological debates that have taken place and which lie behind the refusal of some departments to cast their courses as 'African' this or that, even while vigorously infusing into those courses scholarship emanating from the continent. While it is certainly possible to take an alternative view in relation to this debate, to reduce this to a refusal on the part of South African scholars to engage the context of their work and their experience is both false and offensive.

There are many examples throughout the sector of subtle engagements with precisely what the Report claims, sans evidence, is absent. There are acclaimed courses run, as it happens, on *ubuntu*, by leading South African scholars using sophisticated critical pedagogies. To name but one example, one institution employs the umbrella 'Thinking Africa' to describe a central aspect of its curriculum. In this theme the article is deliberately missing. It is not thinking 'about' or 'from' or 'for' Africa all which insinuate a binary discourse that has been questioned by the more critical scholars in the debate as risking placing scholars in Africa in a disciplinary ghetto, which they eschew. While it is accepted that there is a link between thinking and being universities have argued that the link is complicated

rather than obvious. There are similar examples throughout the country and it would perhaps, in the absence of more thoroughgoing thought and research into the question, have been better for the Report to remain silent on this subject rather than submitting to the Minister what are simplifications and generalisations which entirely occlude the sophisticated engagement that is in reality taking place not everywhere or on every front but certainly on many fronts and in multiple ways.

Throughout this section the idea of 'whiteness' and 'blackness' is reiterated uncritically as if it were possible still to talk uncritically in these terms without, for instance layering class onto the analysis. What, for instance, are 'white' schools (2008:93)? Does this refer to former Model C schools which now have a predominantly black learner composition? It goes on to argue that black researchers are not in a position to research 'white' schools. Provided one could clarify what is meant by the latter where is the evidence for this? One can point to many examples of such research. While the Report does make mention of its own methodological insecurities, pointing out at the outset that it is not based in rigorous standards of academic evidence and argumentation, it is damaging to craft sweeping claims as if they were true when by its own admission the Report has not more than, in many cases, a single anecdote to validate its conclusion on a particular matter. Since different institutions interpreted differently the brief of the Committee and many crafted their submissions mainly around questions of residence life given the genesis of the Committee's work, the evidence around curriculum change that exists in the submissions is particularly thin and simply cannot be a useful barometer of either the challenges or the successes that characterise curriculum transformation in institutions across the country. There would, moreover, be stark differences and debates within the sector concerning what curriculum transformation should be about. For instance the claim that 50 per cent of a curriculum will be 'Africanised' would need to be submitted to critical scrutiny. What would an Africanised curriculum look like and how would we know it when we saw it? The Report seems to assume in a rather demeaning way that any attempt to elaborate on the complexities in the implications of such claims must stem from a position of 'white fear' rather than a genuine engagement with the issues. This is a silencing technology which makes it difficult to advance the debate and is antithetical to precisely the fostering of critique which the Report claims to advocate.

The Report glosses over the question of in-service learning as well as of community engagement (it seems to collapse these under the rubric of 'community service programmes') again perhaps because it did not have a sufficient body of evidence to draw

upon based on the institutional responses received and visits to the institutions. Yet, again, many institutions have moved quite far in the last 15 years to an engagement with what these imperatives might mean. The engagement has, in the best instances, been critical and reflexively cautious rather than simply buying in to ideas and practices which might look good externally. In many institutions for instance there has been a detailed process of debating and defining what is meant by 'community engagement' and what this means for universities. These discussions have in turn led to community engagement becoming one of the pillars (along with teaching and research) of promotions criteria. In the process sophisticated positions and understandings have emerged regarding the ways in which community engagement and scholarship are intertwined. Again, though, the debates are complicated rather than obvious since they touch on difficult questions relating to how to understand the notion of 'community' and the embeddedness of universities in multiple, overlapping and interlocking communities of potential engagement. These debates have for instance touched on questions of relations of dependency versus interdependence, of the problematic conflation of 'the community' with 'the poor' and the problematic assumption that 'the university' is in some sense not itself in and of 'the community'.

In-service learning is a different but related issue which is hardly dealt with in the Report. The emergence of a focus on finding opportunities for in-service learning to be incorporated as a central tool in curricula is a significant and positive trend in curriculum innovation in pursuit of precisely the social goals that the Report emphasises. Here again there has been a commitment to developing a sophisticated pedagogical understanding as well as motivation for the appropriateness of in-service learning in particular curriculum contexts so that the practice is reflexive and intellectually meaningful rather than merely mechanical. The Report has little to say on this and in that sense glosses over what is terrain of critical importance in relation to the whole question of curriculum transformation, even while making the claim that there have been no significant innovations in this regard at all.

On the whole it is simply not true to say that the focus of discussion and innovation in the sector with regard to curricula has been narrowly technical (Soudien et al 2008:100) and emphasising skills and competencies as opposed to addressing deeper epistemological issues. It is not true of the sector as a whole to say that there exists a narrow focus on skills to the exclusion of consideration of the ethical and moral implications of the pedagogies that are employed and the curricula that are taught. This is not a sensibility moreover that is confined to the humanities and social sciences nor should it be. That said it is necessary for the ethical dimensions of the curriculum to be more explicitly articulated, debated and

reflected upon. This dimension is often a hidden dimension, a set of assumptions and practices based upon those assumptions that is not expressed overtly. To make these assumptions more overt is to render them more open to critique and re-evaluation.

- Language

Language has the ability to shape the contours of exclusion. A range of language challenges exist in the sector, from the predominance of English at some institutions which exerts a powerful influence over the culture and ethos of these institutions, to black lecturers feeling isolated or discriminated against at predominantly Afrikaans institutions, and including the ways in which accent is used as a marker of difference and hence to legitimise prejudice.

The Report notes that language is critical to higher education transformation impacting as it does on institutional culture as well as access and success. It acknowledged that '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'. It argued, however, that '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' and 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' (2008:94).

Parallel medium and dual medium language policies have often been fraught with tension and difficult to implement in ways that are perceived as fostering equality and fairness rather than reproducing discrimination with parallel medium instruction at times seen as entrenching racial divides while dual medium instruction leads to difficulties with staff appointments and is often more of an idea than an effectively implemented living practice. These policies and their implementation continue to be the subject of intense debate in parts of the HE sector, often taking inevitably highly politicised and emotionally charged forms which is itself evidence of the fundamental importance of language to how students and staff experience the environment of these institutions. The Report is therefore right to point to the significance of language but it is not in a position to do justice to these debates or to describe in very much detail the rethinking and remodelling that has in some instances emerged from them. Rather than simply reducing these challenges to adding marginalised languages or to displacing those languages that have historically been dominant the

challenge is one of crafting a multilingual environment which embraces multilingualism as an asset and extracts value from that asset for the advancement of scholarship that is nuanced and critically attentive to the multiplicity of human experience.

8.2 Engagement with the Specific Recommendations of the Report

(i) Recommendations to the Minister of Education

- **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 (5.1).**
- **The Minister should establish a mechanism to monitor the application of language policies and practices and 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 (5.2).**

Several universities are already giving effect to their commitment to the development of multilingualism and of African languages as academic languages as well as languages of communication. These commitments are evident in the language policies of institutions and in the introduction of conversational courses for staff, the translation of policies into African languages and integration of African language elements within formal curricula. It is difficult to imagine how the imposition of timeframes for the fostering of multilingualism might work in practice since ideally this is an ongoing process that happens at multiple micro levels requiring more qualitative forms of reporting and evaluation in order to assess progress.

The development of African languages as academic languages was one of the recommendations to emerge from the Council on Higher Education Language Policy Task Team of 2001 and the then Minister of Education was advised accordingly. There are complex issues associated with the implementation in practice of multilingualism particularly with respect to the development of African languages as academic languages. These relate to for instance the fact that given a choice many students do choose English as a language

of study, believing it to offer them the best prospects of mobility; reading materials in books, text books and journals is not available in African languages. There needs to be a national and coordinated approach that simultaneously draws on the expertise available at universities. There may be value in universities that are located in particular regions cooperating in joint projects for the development of regional African languages.

While there is support for the idea of a review of national higher education language policy as well as of institutional language policies, many institutions have themselves engaged in this kind of review exercise. What emerges is that the implementation of multilingualism is complex terrain and that meaningful and sustainable interventions are difficult to make in the absence of appropriate funding. This results in the perennial problem of policy which is not matched by practice. It is necessary in particular creatively to interrogate how meaningfully to implement multilingualism not only within but also beyond the formal teaching and learning environment.

At several institutions where a gap is noted between good multilingualism policy but lagging implementation, the point is made that effective implementation requires a champion. In the event that Institutional Forums are moribund there is a need either to revive their capacity to play this role or to identify other mechanisms for monitoring and accountability. Schools of languages and their leadership in some instances might be in a position to play a championing role but there is concern that if this is the case other arenas in the institution come to see language as 'their issue' (that of the School of Languages) rather than being the responsibility of all.

ii) Recommendations to Higher Education Institutions

- **Institutions should initiate a macro review of their undergraduate and postgraduate curricula to assess their appropriateness and relevance in terms of the social, ethical, political and technical skills and competencies embedded in them, asking '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?' (10.1)**

While institutions acknowledge that higher education has a social role to play in contributing to the construction of a critical democratic citizenship equipped with the mores of a non-

racial and non-sexist society, several cautioned that the curriculum should always be a place of critical reflection and debate rather than a tool of indoctrination.

It is not clear whether 'macro' is intended as a national review (a monumental task of debatable value) or as an encouragement to institutions to review curricula. Institutions largely favour of the latter over the former.

It was pointed out that in some instances the dominance over degree content exercised by professional councils may act to curtail the possibilities of curriculum and content redesign. The Ministry therefore needs to exercise influence with professional councils on the question of their commitment to social development aims.

Institutions which have undergone complex and exhausting merger processes pointed out that considerable energy was devoted to managing harmonisation of processes and even physical consolidation. This has meant that in these contexts the energy and resources required to engage with the possibilities of creating new curricula and redefining what knowledge is and how it can be produced differently, has been negatively impacted upon.

Many universities do feel that they, on the whole, offer courses, curricula and styles of teaching and learning that are indeed attentive to the context in which they are located, pointing out that courses are constantly updated and revised to ensure that examples used are relevant and current both to South Africa and in relation to the continent more broadly. Rather than a once-off review process there is a need to recognise the integrity of ongoing processes of review that are a customary part of good academic practice. However it is important that universities pay attention to evaluating the impact of curriculum interventions and innovations. It was pointed out that too often curriculum innovation, where it exists, is not accompanied by rigorous processes of evaluation in order to establish whether or not the objectives of providing epistemic access and success are being realised.

- **Institutions to 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 either by way of a common compulsory first-year course for all students or by way of infusing such content into diverse disciplines and curricula (10.2).**

Many universities have engaged in, or are in the process of engaging in curriculum review and indeed curriculum review is an ongoing dimension of quality academic work. Discussion is required regarding the desirability, feasibility, nature, form and content of a 'common' course. The idea of first year grounding courses which purport to inculcate in students the values of diversity, tolerance, respect, dignity and many others is affirmed in the Report but there is no critical engagement with the claims of such courses to achieve these ends. The Report seems ignorant of the detailed pedagogical debates that have taken place in several institutions regarding the veracity of claims to being able to instil these values in courses of this nature. Importantly to engage in these debates is not a marker of opposition to transformation but reflects rather an insistence on interrogating pedagogical methods and asking hard questions about what they achieve in practice. While such a course might look good from the outside many institutions have been sceptical about short cut approaches to producing intellectual leaders who are capable of deep and reflexive critical thought.

While common courses are one approach and with sufficient expertise and research, they are an approach that may have the capacity to succeed, there are many others. Individual academics, departments, faculties and universities do put considerable energy into various aspects of curriculum renewal and transformation. Some might argue that what is lacking is the consolidation of all of these efforts and their routinisation. Others would suggest that this would create mechanistic responses whereas vibrant curriculum transformation cannot but be rooted in the individual imaginativeness, creativity and intellectual rigour of each academic. The vitality of university curricula will be lost if there is a sense of curriculum by decree replacing the independence of academics to design, implement and evaluate the efficacy of curricula in accordance with their skill, expertise, professionalism and conscience.

8. Governance

8.1 Conceptual Overview and Critical Engagement

- **Councils**

Government has acknowledged the need for HEIs to manage their own affairs (White Paper 3:3.33). The Higher Education Act (No. 101 of 1997) places in the hands of university Councils the responsibility of ensuring the good order and governance of HEIs and for their mission, financial policy, performance, quality and reputation (White Paper 3:3.34). The Report is rather damning of university Councils which, on the whole, it sees as providing limited leadership and strategic direction, having abdicated to university managers their leadership function. While the Report is careful not to call for the micromanagement of universities by their Councils, it argues that Councils should be ensuring that 'institutions' mission and strategic plans are aligned with, and contribute to, meeting national policy goals and objectives' and that Councils should perform the role of overseer 'by means of clearly defined performance targets and indicators' (2008:104). It suggests that their incapacity to do so results from their having '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' (2008:104).

- **Institutional Forums**

Institutional Forums (IFs) are established by the Higher Education Act as advisory bodies to Councils, giving effect to the desire on the part of government for HEIs to be run according to principles that are democratic, participatory and representative (White Paper 3:1.19). The Report argues, 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' (2008: 108-9). The Report suggests that IFs have a potentially valuable role to play in providing constituencies with a platform to debate issues, air views and mediate potential conflicts.

The Report notes that while IFs should be facilitating dialogue on transformation, they appear not to be doing so. This overlooks however the fact that in several instances the responsibility for facilitating dialogue on transformation has in time devolved onto other structures within universities. For instance, the Employment Equity Act requires the establishment of employment equity or equity committees and where this has happened these committees have played a role in instigating dialogue and processes to ensure that equity policies are implemented.

- **Management**

The Report argues that university management is charged not simply with the day-to-day running of institutions but, in the context of a transformation agenda for higher education, of providing transformational leadership which it defines as an 'activist' type of leadership focused on changing the underlying power relations of institutions (2008:111). The Report draws a distinction between the historically white institutions which it sees as offering technically competent management which is devoid of the imagination to provide transformational leadership and the historically black institutions where management is 'technically weak' and thus incapable of confronting the systemic deficiencies confronted as a result of the legacy of the past (2008: 111). It is not clear how imaginative leadership or technical strength is measured by the Committee or what the evidence base is for the conclusions reached here. Again, the categorisation of the sector into historically black and historically white does not appear apt for this purpose and it would be desirable to conceive of more meaningful taxonomies to advance our ability to interpret the current context.

The Report identifies middle management as a layer to whom many responsibilities for the implementation of a transformation agenda have been devolved but notes that many at this level do not exhibit ownership of, or commitment to, the policies they are charged with implementing and that adequate mechanisms of accountability for the performance of this role have not been put in place.

Absent from this section of the Report is any reference to the role of the Department of Higher Education and Training, the Council on Higher Education, or Higher Education South Africa in leading, supporting and directing institutional transformation. Thus the relationship between national government and higher education institutions is invisible in the Report yet

national leadership and adequate resource allocation are central if it is to be possible to meet the key challenges faced by HEIs.

The recommendations in the report with respect to governance are not new to the sector in the sense that suggestions such as the training of university councils and requiring of universities to submit transformation plans are all ideas that have been mooted and attempted before. The challenge is to find out why they have not been successful in achieving their stated aims. Insufficient attention is given in the Report to the nature of education policy since 1994 and the role played by national policy and by the Department of Education (now the Department of Higher Education and Training) in implementing, supporting, monitoring, evaluating and incentivising transformation at the institutional level. A weakness of the Report then, on the subject of governance, is the lack of a critical discussion of the process of articulation and coordination in the national higher education transformation agenda of the country.

9.2. Engagement with the Specific Recommendations of the Report

(i) Recommendations to the Minister of Education

- **The development of a transformation compact between higher education institutions and the DoE as a component of institutional plans that are submitted to the DoE, incorporating both an overarching commitment to the development of a culture of human rights as well as clear targets (1.1).**

Some institutions have no in principle objection to this suggestion but note that the details would need to be concretised if it was to be implemented. For instance, is it envisaged that the HE sector as a whole would formulate such a compact with the Department or would it be between each institution and the Department, individually? More fundamentally, however, the suggestion seems somewhat out of keeping with the major thrust of the Report which is to suggest that there are problems in the sector not so much with a commitment to the goals of transformation nor with policies to achieve these goals but with effective implementation. Rather than the lengthy process that would ensue in the attempt to develop the content of a

compact it might be argued that the contours of such a compact are already in existence as expressed in the institutional policies with respect to transformation and the transformation visions and frameworks that already exist at various institutions. The Report itself acknowledges that the latter are comprehensive and largely appropriate and satisfactory throughout the sector. While these commitments are already in place what is perhaps absent are workable mechanisms for accountability. More useful perhaps than further pacts or promises would be the insistence on workable accountability measures to ensure that there are mechanisms in place for institutions to be able to monitor and account for progress or the lack thereof in successfully implementing their own policies and stated goals with respect to transformation.

Several institutions pointed out that the recommendation could unintentionally reinforce the notion of transformation as compliance rather than change at the level of institutional culture. It was argued that national transformation imperatives ought to be integrated into the daily life of higher education institutions rather than being the subject of a specific compact. Existing legislation and higher education policy already provide the DoHET with the planning and steering mechanisms to ensure that institutions meet national education transformation objectives without the need for a further document.

- **The establishment by the Minister of a permanent oversight committee to monitor the transformation of higher education as a means to encourage implementation of institutional policies. This committee should submit an annual report to the Minister, who should make the report available for public discussion (1.2).**

It should be noted that HESA has already created such a standing committee on transformation. Moreover, universities are required to report to the Department of Labour concerning matters of employment equity. University Annual Reports already contain relevant information on transformation and the implementation of institutional policies and are publicly available. There would need to be careful consideration given to whether a further reporting structure would duplicate what is already being done.

The argument was put forward in the institutional responses to the Report that universities are statutorily governed by their Councils. In accordance with the provisions of the Higher Education Act (1997) and its Institutional Statute it is a university's Council which properly

has the role of monitoring transformation in the institution. An oversight committee of the sort proposed has the potential to erode the authority of Councils and negatively impact on their functioning which will in turn have deleterious long-term consequences for the proper governance of higher education institutions. Instead institutions would wish to see close working relationships established between the Minister of Higher Education and Training and the respective university Councils so that the latter are held accountable for their own transformation objectives by the Minister.

The view was expressed in the HEI responses to the Report that transformation can only meaningfully be achieved if the institutions themselves own the project. While it is acknowledged that government has a role to play in providing the legislative framework, resources, incentives and policies which provide the context in which HEIs operate, the sense is that the heavy-handed imposition of targets and decrees, holding Vice Chancellors to account through their employment contracts and the establishment of a monitoring unit in the Department of Higher Education and Training risks cementing the very compliance-based approach which the Report criticises. A positive role for the state in aiding institutional efforts lies not in an approach of policing but rather of facilitating the ability of institutions to achieve their own transformation goals. In this process institutions seek a robust collaborative partnership with government where criticisms, views, suggestions and ideas are aired and exchanged freely in an atmosphere of mutual support and understanding.

- **The Minister should initiate a review of the size and composition of Councils, 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 (6.1).**

Institutions mostly feel that they are attentive to the need for representivity on their Councils and most do regularly review their composition. Moreover the requirement regarding the ratio of external to internal members is already a legal stipulation. The external to internal membership ratio of 60:40 was regarded as satisfactory by most institutions with some cautioning that any suggestion of increasing the size of Councils would lead to difficulties with the reaching of quorums and in some regions may add to operating costs. Suggestions emerging from the sector include that Council members be given specific responsibilities to report on annually as is the case with boards of directors in the private sector and that

Council members be given the space and encouragement to be champions in their areas of expertise.

The HEIs on the whole could not see a clear rationale for a review of the current, statutorily prescribed composition of Councils. It was argued that the quality of a Council is determined largely by the quality of individuals who hold office on it and that it is up to the Councils themselves to find appropriate members. The Minister should intervene only where Councils appear errant.

While the need for Councils to be guided in their functioning by principles of good governance is of course not disputed, several universities feel strongly that it is the universities themselves that are best placed to determine the composition and size of their Councils. While the training of Councils may well be required universities see themselves taking responsibility for this function.

- **The DoE should facilitate the training of council members, including holding an annual meeting to review the role, function and performance of councils (6.3).**

There is agreement that the training of Council members is important. In principle, there is no objection to DHET facilitating training though it is preferable that this should be the responsibility of individual institutions. Council members need to be exposed to issues and challenges not only of a generic nature but also to those that are specific to institutions. While the training of Council members is regarded as important, focussed training programmes that respond to the specific needs of individual institutions is preferred. While the DoHET might wish to provide guidelines in this regard, this is best taken up by each university in a way that caters to the particular needs of different institutions. Given agreement on the importance of training DoHET support for the implementation of Council training programmes where support is requested by institutions would be welcomed. It is recommended that a) the DHET require reporting on whether or not such training has taken place; and that b) the DHET provide support where individual institutions request this. Staggering the terms of office of Council members may go some way to ensuring continuity especially with regard to transformation matters.

- **Strengthen the efficacy of Councils as well as IFs in providing leadership in higher education institutions with respect to transformation (6.2).**

Councils need to critically reflect on the role that they have played in overseeing transformation. In some instances this process has already begun with some Councils in the sector having committed themselves, in response to the Report, to playing a more direct role in planning, monitoring and evaluating their institutions' transformation objectives. Similarly, the process of assessing the relationship between Councils and University/Institutional Forums has already begun and in some cases mechanisms have already been put in place to ensure more direct ongoing interaction between the two. Where IFs may seem inactive part of the reason might relate to their functions having been taken up in other structures such as Employment Equity Committees. What does need attention is the relationship that IFs have to these other structures. It seems clear that the composition and functioning of IFs at many institutions needs to be reconsidered and re-evaluated. It has been suggested that institutions should initiate capacity building and development programmes for their IFs.

While there is support for the idea of a review of the role and functions of an Institutional Forum in a university one of the questions that is being asked is whether these Forums still have a substantive role to play in modern higher education institutions. Some are of the view that a well-governed institution provides adequate opportunities for individuals and stakeholders to participate in decision making and policy formulation through its existing structures and processes. At other institutions IFs appear to play a vital role, operating, for instance as a platform to strategise, implement, monitor and review transformation processes.

ii) Recommendations to Higher Education Institutions

- **Each institutional council to develop a clear transformation framework, including transformation indicators, accompanied by targets which should form the basis of the vice-chancellor's performance contract (11.1).**

This recommendation assumes that performance contracts are in place for all Vice-Chancellors (and also assumes that all institutions have performance management systems). Some institutions pointed out that this, for good reasons, may not necessarily be the case. Where performance management systems are in place institutions have indicated a willingness to revise these to ensure that they do include the pursuit and attainment of equity targets. It was suggested nevertheless that rather than prescribing the form of accountability ('performance contract') institutions should be free to determine appropriate accountability measures.

The relationship between such a framework and the strategic plan or institutional development plan of a university would need to be clarified. Such a framework needs to be the outcome of dialogue involving the whole university community. Most institutions that have responded to the Report feel that their transformation frameworks are in place and that rather the challenge is to infuse the vision of such frameworks into all aspects of how the day-to-day business of the university is conducted.

The institutions accept that strategic level transformation must be unequivocally supported by top management without which support the concept of transformation remains hollow and rootless. It is recognised also, however, that for transformation to be realized it has to be linked to institutional planning and other related portfolios.

- **Each institution to develop a transformation charter to serve as a guide and as an accounting instrument for change applicable to everybody who forms part of an institution (11.2).**

The relationship between such a proposed charter and the strategic plan or institutional development plan of a university would need to be clarified, as would clear accountability measures.

- **The freedom and right of students to organise along political lines be reinstated where it has been removed (11.3).**

The Report raises the issue of some campuses having sought to depoliticise student governance by excluding students from standing for SRCs on party political platforms. While there are differences in approach across the sector on this issue most institutions would concur with the right, expressed in the Report, for students to enjoy full freedom of association including on grounds of party affiliation and to express their views freely in contestation for SRC positions. At the same time the need for contestation to take place within the bounds of respectful engagement of opposing views and for universities to put in place mechanisms to facilitate such engagement is articulated.

Given that this is rather an isolated instance which does not really pertain to transformation in the sector in general it is perhaps out of place in a report of this nature which surely cannot hope to speak to the particularity of concerns at every institution. For the most part universities do not restrict the freedom of association of students in this way and where that freedom is restricted it would need to be investigated as a concern that is specific to this or that institution.

- **The establishment of an independent Ombudsman at every institution to receive and deal with all complaints relating to discrimination (11.4).**

While some felt this was a good proposal with the potential to strengthen the development and implementation of social justice policies others suggested the need for greater clarity on whether this Office is intended at the institutional or national level. If national, it was felt that such an Office should be a last port of call, after all institution-level processes have been exhausted. On the other hand if it is intended at the institutional level, the concern is that the recommendation is too prescriptive since institutions may determine other ways of dealing with complaints relating to discrimination. Some mooted the possibility of a regional approach which would allow sharing of costs and expertise across several institutions in a region. Others feel that they are already performing parts of the recommended intervention by way of Ethics Hotlines, Whistle Blowing Hotlines or other mechanisms that are already in place and that existing mechanisms can be adjusted to accommodate the recommendation in preference to whole new interventions.

Where strong objection to the idea was expressed it was because it was felt that transformation needed fully to reside within the university, its employees and its governance

structures and processes such that an independent watchdog person would not be helpful in fostering transformation as an ethic lived from within.

Where support for the idea was expressed it was argued that such an office had the potential to be perceived as a just, independent and fair space to address relational, discrimination, governance, risk and grievance matters. However it was argued that a number of conditions would need to be in place for such an office to work optimally including the need for transparency in appointments, independence, for it to be well resourced, to follow clear and transparent procedures, to be available on every campus to provide immediate support for those in distress, to be able to resolve conflicts promptly, and should be run by an appropriately qualified academic who would report to Council rather than to the Vice Chancellor. The scope of such an office moreover, would need to be clearly defined.

9. Practices for the Advancement of Transformation

The Report acknowledged that many institutions have put in place wide-ranging initiatives to address questions of staff equity, transformation and discrimination. One of the challenges in the sector is that perhaps not done enough has been done to facilitate cross-pollination of ideas in order that effective practices employed in one context might be adapted to other contexts. The original individual institutional submissions to the Committee described and critically analysed at some length the interventions, projects and services that are being employed at each institution in pursuit of transformation goals. One of the benefits of the Report is that it brings together and summarises some of these ideas and can provide a mechanisms for institutions to follow up with one another in order to learn from initiatives that might successfully be transplanted into different contexts. It is not the purpose of the present document to repeat what is already comprehensively described in the institutional submissions to the Committee. The purpose of this section is to summarise some of those interventions that institutions highlighted in their *responses* to the Report, providing a brief overview of the kinds of activities and programmes that institutions felt were germane in the light of the Committee's findings.

- **Building a culture and practice of anti-racism**

- Several institutional responses to the Report make the point that there is no quick fix solution to the problem of building institutional cultures that promote anti-racist practice. An attempt by the sector at an intervention that tackles the problem at a deeper level arose with the first Anti-Racism Colloquium which was held at Wits University in June 2008. The Colloquium drew on the work of researchers, academics and practitioners to critically reflect on how institutions are going about the challenge of changing their institutional cultures and providing students with an education that prepares them for citizenship in a democracy. The sector views this critical, reflective scholarly work as central to advancing transformation since the latter can only be achieved on the basis of evolving, nuanced interpretations of day-to-day experiences and practices.
- One of the outcomes of the Colloquium was the establishment of the Anti-Racism Network which seeks to provide a network for the development of anti-racism practices and conversations. The Network has seen the growing participation of higher education institutions (Wits, 2010:2).

- **Awareness-raising and diversity training initiatives**

The Report points to the need for awareness raising and diversity initiatives. Individual institutional submissions to the Committee did highlight a great number of such interventions across the sector. The point was made by institutions in their response to the Report that what is important is not simply for such initiatives to exist but also for there to be in place sound mechanisms for critically evaluating their impact.

Responding to the Report institutions highlighted numerous awareness-raising and diversity training initiatives:

- the development of institutional charters as a mechanism for establishing consensus on what constitutes transformation as well as for the purpose of monitoring progress;
- seminars and workshops which are aimed at fostering values of diversity and respect for difference;

- workshops and public gatherings at which racial stereotypes can be challenged and which provide a space in which fears, painful experiences and silences can be publically voiced;
- awareness raising weeks incorporating multiple activities and events and focusing on specific themes such as racism, sexual harassment, xenophobia and sexuality;
- components of Orientation Week programmes which raise issues regarding racism and racist behaviour;
- student leadership training initiatives which incorporate diversity training and awareness components;
- initiatives aimed developing a sense of common identity such as Student Legacy Projects;
- Citizenship Modules incorporated into formal curricula which are discipline and subject adapted and aim to induct students into the values of the Constitution;
- the creation of 'values charters' which attempt to synthesis those values that are held in common by all staff and students in an institution.

- **Staff Equity and Development**

A number of initiatives aimed at achieving the goals of staff equity and development either exist or are in the process of being instituted or are being debated in the sector. These include:

- salary supplements for black, female and disabled staff;
- the creation of additional posts in order to facilitate entry into HEIs of excellent South African black and disabled candidates;
- the linking of staff development programmes to permanent posts so that appointees in these programmes are seen as permanent staff with guaranteed job security from the outset;
- incorporation of employment equity targets into the performance contracts of all managers;
- assistance for emerging researchers in the development of their research careers including guidance on activities such as proposal writing, getting published and securing funding;
- training and career advice for mid-career women academics to encourage progression into full and senior professorship posts;

- assistance for women to develop and manage their careers in the academy, the overall goal being to create a cohort of women who have the skills to move into professorial and other senior leadership positions;
- programmes aimed at empowering female academics to overcome institutional and personal barriers to their advancement;
- several universities have introduced or are in the process of introducing formal mentorship programmes for academic staff which will be linked to performance management, career paths and succession planning;
- discipline based buddy systems for young academics with professors, senior professors, retired faculty and Fellows acting as mentors for younger staff members;
- fast-tracking the development of budding academics from designated groups through special arrangements like reduced workload and financial provision;
- 'job shadowing' as a means to enhance development opportunities for support staff;
- 'Grow Your Own Timber' programmes which incorporate provision for teaching relief and aim to advance women and black staff;
- implementing and effectively monitoring exit interviews to provide institutions with better information concerning the reasons for loss of staff.

A difficulty encountered with many formal development programmes is the fact that they are reliant on external funding and in general, ill-resourced. Some programmes experience difficulty with finding candidates and with retaining graduates of the programme on completion of their studies given competition from external sources. Some solutions being explored include contracting appointees of these programmes, committing them to the institution for a specified period after completion of participation in a development or accelerated programme. Alternative suggestions include offering more attractive packages for appointees.

Universities are aware of the need to achieve a clear alignment between the profile of the competencies engendered in staff development programmes, the competencies that would be lost as a result of staff retiring from an institution and institutional equity targets. Institutional responses to the Report highlight the importance of aligning academic staff development with the criteria for promotion stipulated in an institution's personal promotion policy.

- **Student living**

- Values

As the Report itself notes in Chapter 5 on Students and the Living Experience, some universities have sought to address the issue of cultural diversity being used as a reason for failure successfully to integrate residences by shifting the focus from a 'tradition-driven and regulation-driven' culture in the organisation of residences to a values-driven culture. This involves each residence assessing its traditions and associated activities against an agreed set of values, which may differ from residence to residence. The values adopted by the residences are guided by the values of the university, which are in turn consistent with the values espoused 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 fall away and new traditions and practices are developed.

- Leadership

Several universities have embarked on student leadership training and self-development initiatives premised on the idea that leadership is not just a position. Incumbents explore and define different aspects of leadership and develop their skills in conflict resolution, communication, problem solving and decision making. These programmes are intended to broaden leadership skills, foster appreciation of, and sensitivity towards, cultural diversity, encourage volunteer works, offer opportunities to improve interpersonal communication and relationship skills, build a sense of citizenship, begin the process of preparation for career development, and develop an understanding of self and respect for others.

- Cultures of learning

At several institutions in the sector, the absence of a vibrant, on-campus student life including residence life has been identified as an impediment to creating an environment that is conducive to quality learning. Taking on the challenge of transforming residences into communities of living and learning, programmes include centralisation of admissions to residences and mentorship programmes with well trained senior students being given responsibility for providing support and guidance to first year students on issues of academic, social, personal or emotional nature. Mentors interact with mentees in small groups as well as individually and offer seminars in the residences for instance on time management, goal setting, study skills and exam techniques. The mentors are monitored and assessed. In these programmes the learning experience is conceptualised as extending beyond the lecture hall to promote student involvement in co-curricular activities for instance through a system of awards for excellence in various categories.

- **Language**

Institutions across the sector have looked at ways of engaging with the complex challenges of creating inclusive, multilingual environments. Initiatives include:

- 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;
- some institutions have formally committed themselves to developing African languages as languages of instruction;
- in others measures are taken to provide materials in African languages for those who would wish to make use of them;
- the introduction of African languages as credit-bearing courses in professional degrees such as Pharmacy, Law and Journalism and Media Studies has been a recent development at some institutions;

- in several institutions a commitment to fostering a multilingual ethos is seen for instance in the development of African language glossaries and text translations attached to conventional English-language courses such as Computer Science, Political Studies, Law and Medicine.

- **Knowledge/Curriculum**
 - The infusion of work-integrated learning (WIL) experience into the curricula of various subjects and disciplines has the potential to transform the nature of the learning experience, exposing staff and students to economic and social challenges and conditions. WIL provides the impetus for practice to be theorised and theory to be harnessed in the service of practice. These programmes are accompanied by ongoing processes of reflection on experience and subsequent curriculum renewal and innovation.

 - At several institutions and across multiple disciplines and departments the content and implications of systems of indigenous knowledge are being explored and ways found of re-examining thinking in fields as diverse as Mathematics, Civil Engineering, Architecture and Town Planning from the perspective of indigenous knowledge.

 - An innovation at some institutions has been the idea of a university forum or open hour which is a timetabled slot once a week providing the opportunity for dialogue to take place on issues such as challenges facing South African development, its value system, racism, discrimination, and so on. These lectures might be led by invited outside speakers or by university staff.

 - Regular teaching and learning conferences around the country provide the opportunity for reflection on the efficacy of teaching and learning practices including methods of assessment, course design, lecture delivery, the use of technology to facilitate learning including multilingual learning and large group learning and course evaluation.

- **Disability**

It remains the case at most universities that major changes to building infrastructure are required in order to make campus environments user friendly to disabled students and staff.

A variety of interventions do nevertheless exist:

- Some institutions have gone the route of creating special units with professional staff and appropriate technology made available to cater for the needs of those with physical disabilities.
- A positive development at some institutions is the emergence of institution-wide representative structures of students with disabilities which have been established to advise management on the special needs of students with disabilities.
- Some universities have a unit within their Department of Information Technology that accommodates hearing impaired students and have created special resource centres for deaf students.

- **Student Access and Achievement**

- While it is felt that the discussion on access and throughput in the Report is accurate, some universities feel that the Report does not credit the considerable strides that have been made in transforming student demographics at least at some HEIs. Nor does the Report acknowledge the enormous effort that has gone into providing access to learners from disadvantaged schools and communities.
- Most universities have in place a variety of student development and support services for enhancing student achievement. However what is often lacking is good information regarding the impact of these interventions and whether or not for instance they affect throughput rates. Academic development practitioners across the country are active in producing a body of research that guides their work and is published nationally and internationally as well as being shared across the sector by way of regular local conferences.

- Writing Centres are places where students are provided with an opportunity to acquire academic skills and academic literacy capabilities.
- Supplemental instruction programmes assist in improving student performance and exist in combination with writing centres, counselling and peer support programmes.
- Various academic development and student success projects are aimed at enhancing throughput through the use of Academic Development Officers combined with a review of pedagogies.
- Retention projects seek to make early interventions by identifying students at risk of failure and providing both academic and counselling support.
- Throughout the sector the urgent need to develop accurate selection tools that can identify talent and predict the likelihood of success of prospective university entrants is regarded as a priority area of research and development.
- Several institutions are making substantive progress with regard to student equity and are finding innovative ways of attracting learners from schools that are in disadvantaged communities and that are not traditional feeder schools to the university including programmes to attract black female undergraduates in fields such as Science and Engineering.
- **Governance**
 - No mention is made in the Report of the emergence of new positions in higher education. Many institutions have created transformation and employment equity portfolios in the transition period. HESA, for its part, has established a forum of Transformation Managers.

- It is worth noting that there are Institutional Forums which are working well. There are those institutions in the sector which see their Institutional Forums as key agents in the institution's transformation drive. In these institutions the IF consistently provides written advice to the Council, advice on senior appointments, highlights student difficulties and participates in equity workshops.
- Some institutions have organised their Transformation Forums through a series of task teams covering for instance such areas as Equity Monitoring and Evaluation, Disability, Staff Development and Student life.
- Some universities have either formulated or are in the process of formulating Charters on Transformation which, through a process of consultation affirm principles relating to issues such as equity and redress, access, retention and success, non-racism and non-discrimination, diversity, social cohesion, the creation of a conducive learning and working climate and gender. These charters are official documents encapsulating an institution's beliefs regarding transformation which are distributed widely to raise awareness about transformation. Transformation Charters define transformation, unite relevant policies on discrimination, transformation and social cohesion and provide a framework within which to approach these issues within the university. They aim to address the gap between policy and implementation and provide a practical framework for implementation in which targets and goals are clearly stated and success indicators, monitoring mechanisms, responsible persons and timelines identified.
- At several institutions some recommendations contained in the Report have been incorporated into the strategic plan of the institution.
- Some institutions have developed what they term a Transformation Framework to ensure that all staff and students have a common understanding of what transformation entails as well as identifying key transformation goals of the institution.
- To facilitate the process of transformation restructuring has occurred within the executive management structure at some institutions with the Vice Chancellor identified as the primary transformation driver.

- At several institutions one of the responses to the governance ideas in the Report has been to ensure that transformation is a standing item on the Council agenda. In addition several have sought to find ways of developing stronger working relationships between the institution's Council and its Institutional Forum.
- Some institutions have responded to the governance of transformation challenges identified in the Report by establishing Transformation and Diversity Offices in the office of the Vice- Chancellor.
- Several institutions see their Equity Policies and Employment Equity Plans as the appropriate regulatory framework for the management of transformation and have established various centres and offices in support of their plans and policies with respect to transformation which work closely with the university's Human Resources Department and generate information to enable the university to submit to relevant government departments annual progress reports on achievements with regard to the implementation of the university's Equity Plan.
- Institutions have attempted to ensure that there is collaboration between equity, change and diversity management centres and institutes and academic faculties and departments in order to promote access, success, equity and social justice.
- The setting of equity goals and targets is done through processes of consultation with stakeholders to enhance the likelihood of successful implementation by ensuring that stakeholders take responsibility for managing diversity and are accountable.
- Some institutions have looked to the establishment of dynamic partnerships between tertiary institutions, CBOs, non-governmental and civil rights organisations at national and provincial levels to ensure that university practices and policies are aligned with evolving trends in equity and diversity management.
- Regular processes of self-evaluation enable institutions to identify areas for improvement in the implementation of equity strategies and to develop action plans that are informed by data.

Conclusions

The Higher Education sector has welcomed the Report of the Ministerial Committee on Progress Towards Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions as an important document which draws together key areas of concern and has provided institutions with the opportunity to reflect critically on their transformation practices and strategies. The Report challenges universities to be more critical and proactive in their reflections and actions on transformation, to ask whether existing strategies have worked and, where they have not, to provide an analysis of why this is the case. While embracing that challenge different institutions in the sector face differing conditions and are differentially placed to respond. Throughout the sector there are academics and researchers playing a vital role in the development of deep analyses of the ways in which discrimination and prejudice are produced and reproduced in day-to-day social practices and it is important to recognise this. Universities see themselves contributing to the development of policies for the sector by making this accumulated intellectual capital available as a basis for policy formulation and development. They see themselves making a contribution to the strengthening of democracy through fostering an educated, enlightened citizenry that believes in critical, open, robust debate and is tolerant of difference while being intolerant of bigotry. Universities see the project of transformation moreover as a collaborative one between the Department of Higher Education and Training and the higher education sector.

One of the learning points of this process has been the need for institution-wide ongoing and vigorous dialogue on the matter of transformation. One of the weaknesses identified by the Committee concerns the level of internal dialogue between constituencies within institutions and the fact that in many cases the institutional forums which could be playing the role of facilitating such dialogue are moribund. There is a need to give much greater priority to creating frameworks and opportunities within which internal dialogue and debate can happen between and among various constituencies. Consideration needs to be given in particular to the role that Institutional Forums have played and might play in the future in this regard. Charters and policies can have little impact if there is a lack of ownership and buy-in on the part of those who are charged with managing, implementing and monitoring the implementation of transformative programmes of action.

A second learning point concerns the need to look beyond formal policies to reach a fuller appreciation of the transformation challenges that lie ahead. Interpersonal relationships and day-to-day interactions are central to the project and lie at the heart of the idea of a transformed institution. It is important, then, to be looking creatively and imaginatively at the opportunities that are being provided for meaningful shared interactions in arenas encompassing academic, cultural, sporting, spiritual and social relations. It is at this difficult to quantify informal level that a transformation-supporting culture is built and sustained.

Finally there is an awareness that higher education is at a critical stage of needing to go well beyond clearly formulated policies, targets and objectives and to move vigorously into a stage of implementation, turning promises and goals into achievements that are measurable and noticeable for the difference they make in the lives of the students and staff at institutions, and the quality of the learning experience that universities are able to offer. The tools that are available for monitoring implementation ensuring accountability on the part of those charged with implementation need to be honed.

While this is accepted, in responding to the Report many institutions did not share the Committee's view that the sector's responsiveness to compliance measures can be characterised as 'little more than a paper exercise'. In the first instance it needs to be recognised that the process of policy formulation itself evokes debate and has the potential to play an educating role. Since transformation is viewed as a process rather than as an event it is important to see the policies that have been put in place as part of that process. Certainly without policy it would be difficult to move forward and the Report's by and large favourable evaluation of the policies that have been put in place is welcomed. While sound policies are obviously not a sufficient condition for transformation they are certainly a necessary condition and can be used to drive change. Where compliance with national policy has not translated into attitude and behaviour change along with tangible positive shifts in organisational cultures nuanced analysis is required of the impediments to change that goes beyond simply seeing this as a result of a lack of will on the part of members of the institution to do more than narrowly comply with the minimum requirements of the law.

In meeting these challenges universities argue that a strong partnership with government is required which is respectful of institutional autonomy while at the same time recognising the imperative for institutions to be publicly accountable. Several institutional responses to the Report mentioned ways in which the Minister of Higher Education and Training might best support and positively influence transformation efforts in the public higher education sector.

Among these were the following suggestions:

- that the Minister of Higher Education and Training consider the development of a research fund on social justice issues as there is a dire need to support institutes and research bodies that train, teach and conduct research on social justice;
- that the Ministry conducts an audit of the skills and capacity in higher education institutions that could be harnessed to build cultures of anti-racism and support for a human rights agenda;
- that the Ministry gives consideration to the manner in which this capacity can be consolidated and supported;
- that the Ministry investigates its own capacity to support higher education institutions at a national level;
- that the Ministry, in combination with Higher Education Institutions, gives attention to the manner in which transformation policies across a broad spectrum incorporating discrimination, sexual harassment, rape, disability, HIV/Aids, xenophobia, sexuality, cultural and religious diversity, ageism, classism, student equity and employment equity are framed, resourced, implemented, monitored and evaluated;
- that given the emphasis in the Report on the need for training at a variety of levels – of Council members, house committees, middle managers, residence managers and the like – the capacity in the country for training on matters of diversity and difference is perhaps severely overestimated. The Ministry therefore needs to consider investing in research and training in this area in order to build the human resource capacity that is capable of facilitating a culture of human rights.

Finally, it is of significance, given that poor policy implementation is central to the Report's findings that it does not give an indication of how the implementation of transformation policies is meant to be resourced. Many institutions do not have the funding or the staffing to implement fully their social justice policies nor do they have funding for the academic programmes that lead to the professional development of the people expected to run these

offices. Institutions have pointed to the very considerable financial and resource implications of many of the recommendations contained in the Report. It is to be hoped that in a lively partnership with the DHET the necessary funding will be provided to the sector in a context in which there are massive pressures on university budgets.

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