Institutional Autonomy and Academic Freedom in Higher Education South Africa

A South African Students’ Perspective

Submission by the South Africa Students’ Congress (SASCO) to the Council on Higher Education on the relationship between the state and higher education

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1. Introduction

1.1 Executive Comment

On behalf of the constituency and membership of the South African Students’ Congress (SASCO) throughout South Africa, the National Executive Committee (NEC) would like to extend its deepest gratitude for the opportunity given to make an input on the subject; institutional autonomy and academic freedom and the role of the state in higher education.

There is no doubt as to the role of the student movement in the initiation, implementation and evaluation of policy in and outside the education terrain. In this instance, the direct beneficiaries of the system (higher education) are the students and therefore it is not surprising for government or any stakeholder for that matter to seek the necessary input of one of the major stakeholders in the system; the student!

The debate around the autonomy of institutions of higher learning and the accompanying right to academic freedom is a crucial one in any given society that has higher education as a sector. The organisation (SASCO) seizes this grand opportunity to put its firm views on the matter. Our belief is that; the debate speaks directly to heart of transformation of higher education in South Africa and it is in this context that we shall take a holistic view when reviewing the matter before us.
One thing important about our input; is the fact that it is a student perspective and as such it shall reflect the nature and character of the student movement. This is not a cautionary statement but, a statement of fact. Therefore our views will be student-centred in the main simply because of the sector or constituency we represent, something which is expected anyway.

The reflection on these matters will require both an historical account and a contemporary reflection on the state of higher education in South Africa and some future nuances as well. So, ultimately a passionate analysis and way forward will be given herein.

1.2 The nature and scope of the input

From the onset we wish to state that the nature and scope of the issue at hand will inevitably influence the nature and scope of our input. The matter under discussion is a multifaceted with only the discussant/s choosing to limit the area/s to be covered depending on where they stand in relation to the issue.

There is definitely an interaction between the manner in which higher education is governed and the ongoing transformation not only of the system but of society in general. Therefore, the context of our input takes into account the transformation of society in general and (higher) education in particular in a transitional society; South Africa.

We are acutely aware of the fact that whilst the input will be broad ranging, it will inevitable single out pertinent issues of policy and governance in a more direct and clear manner. This is to avoid the risk of being too general or specific throughout the input. Therefore a careful balance of the general and specific challenges facing higher education is going to characterise the tone of the paper.
Our approach takes the qualitative inquiry angle; looking at both the philosophical and practical aspects of the topic at hand. Thus a great deal of effort is invested in the **qualitative and descriptive** aspects of the debate.

The first part of the paper will be dealing with the political and social context, including a brief historical background of our country, education and policy development in higher education.

The second part introduces the main pillars of **SASCO’s conception of transformation of society**. In this section, the strategic perspective of SASCO on the transformation of education and ultimately higher education in particular is explained and some of the **imposed ideological**, philosophical and “scientific” assumptions around autonomy and academic freedom are contested.

The third part captures the link between higher education and social transformation which will include aspects such as, the concept of a **university**, the instrument and strategies of governance, and broadly the strong views that we put across as to what the role of the state should be, especially in South Africa today. Here, the state of higher education and its pressing challenges is discussed.

Lastly, the conclusion which covers the main proposals of the organisation and future perspectives is presented.

Obviously, in taking stock of all the above sub-themes; lessons from Africa and around the world will be borne in mind but with a rather strong emphasis on local experience and solutions to the challenges identified.

Throughout our input the life and the experiences, in other words, the plight of the poor and marginalised students majority who come from working class backgrounds and constitute the bulk of our membership will clearly inform the intentions of our input and ultimately the direction of our paper!
2. The political and social context

2.1 Brief historical background

The history of South Africa is the history of national, class and gender oppression characterised by political, economic, social and cultural exclusion. For more than 360 years national oppression sought to create social divisions in our society, perpetuating racial oppression and other forms of oppression through minority rule and its intentions has been to build a society based on moral foundations of, inequality, injustice, indignity and coercion and, the result was the impoverishment of many Africans in particular and black people in general in all areas of life including socio-cultural determination, the arrest of intellectual talent and the denial of the right to education. In short, national oppression was all about the creation of two societies in one. One section white, privileged and rich and another black, marginalised and poor.

Today, the legacy left behind by apartheid colonialism is evident in all spheres of life including, education. As stated in the ANC Policy Framework for Education and Training, 1994 that “…the system (education) under apartheid has been characterised by fragmentation along racial and ethic lines, widespread inequalities in access to education services and lack of democratic control by participants in the system. This situation resulted in the destruction of human potential and has had harmful consequences for social and economic development” (ANC, 1994: 1).

Our belief is that decrying the apartheid system is not going to help us move forward. Therefore, the challenge is to channel all our energies and resources for the reconstruction and development of our country. But as we do so, in order to accelerate development and defeat the constructs of apartheid, we need to simultaneously address its legacy and attend to the immediate needs and demands of our people, a challenge which is not easy and yet not insurmountable.
The impact of apartheid policies on higher education (HE) as Pityana observes; “…was that white people were privileged and white consciousness was considered the intellectual and educational norm. In South Africa the policy was separation or apartheid. Two parallel public educational systems for the English speaking and Afrikaner South Africans developed. These universities reflected the twin origins of settler mentality in South Africa in language and culture, England and Holland; Dutch reformed and English protestant, liberal and democratic, as against conservative, puritan and authoritarian. These ideals soon translated into distinct political forces that contended for power in South Africa since the end of the Anglo-Boer War (1902), through to the Union of South Africa (1910). It can be said that Afrikaner Nationalism eventually triumphed” (Pityana 2005: 2).

This point is further elucidated in our latest 2005 version of the Strategic Perspective on Transformation (the SPOT) of SASCO which says; " invariably our education system continues to suffer from various structural inadequacies..." caused by apartheid colonialism (SPOT 2005: 5). Whereas there has been marked progress in certain areas, huge challenges remain.

2.2 The policy discourse in higher education

The history that underpins education and HE in particular is inextricably linked to the history of our society general. Therefore, higher education (HE) policy discourse is an attempt to simultaneously redress the past inequalities and champion the needs and aspirations of the hundreds of thousands of the South Africa students and the wider society that this crucial sector must serve.

The advent of democracy ushered in by the democratic victory in April 1994 meant the beginning of a cumbersome and yet crucial process of policy and legislative review in HE.
In a presentation made at the last SAU-SRC/SATSU 2\textsuperscript{nd} National Consultative Summit in September 2005, Braamfontein; Higher Education South Africa (HESA) reminds us that, “these changes (HE policy changes) \textit{drew their inspiration from the struggle for liberation} of South Africans from the oppressive and exploitative conditions of apartheid and are intended to transform the entire political, social and economic development of the country” (HESA 2005: 1).

Consistent with the above assertion, we believe therefore that, whilst there might be pitfalls in the process of developing policy; we expect no less than a policy framework that affirms \textit{access, redress and equity} as some of the guiding pillars. This in essence means that, education policy must be best understood against the background of its own history and struggle.

The development of concrete policy initiatives has its roots in democratic traditions of the democratic movement in SA. The 1955 adoption of the Freedom Charter signalled the beginning of a \textit{foundation for a future education system}. The Freedom Charter declared; “the doors of learning and culture shall be opened, education shall be free, compulsory, universal and equal for all children; higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit and adult illiteracy shall be ended by a mass state education plan” (Freedom Charter, People of SA: 1955: 2).

In the late 1980’s, the ANC with the input of organs like the National Education Crisis Committee (NECC), body that comprised of progressive democratic organisations and education activists from the education sector committed itself to the \textit{vision} of building a \textit{people’s education for people’s power} and the appointment of a “higher education commission” to investigate and report on the state of higher education.

This work was to be done by the National Commission on Higher Education (NCHE, 1995) and various recommendations dealing with an array of issues emerged as part of its report.
The Education White Paper 3 – A programme for Higher Education Transformation became the consolidated work of extensive consultation in 1997 and during the same year, the first version of the Higher Education Act 101 of 1997 was promulgated.

For the past six to seven years, the size and shape of higher education preoccupied every stakeholder in the sector more vigorously after the Council on Higher Education (CHE) released a report titled; Towards a New Higher Education Landscape: Meeting the Equity Quality and Social Development Imperatives of South Africa in the 21st Century. The report spoke to the restructuring of higher education institutions and other policy aspects that have come to characterise our daily language in HE.

Following the report was the conclusion of the National Plan on Higher Education (NPHE) and the National Working Group process which worked on finer details of the mergers and incorporations of HE institutions in SA.

The purpose of this section is neither to review the merger/incorporation process nor to reopen in a wholesale fashion the policy development process but, to provide a step by step account of the major policy initiatives as we all know them. However, we must state that SASCO will conduct its own separate review of especially the impact of the mergers in HE transformation and on student life in the near future.

It must be stated for purposes of this section that, generally, the policy process although it was transparent in the main, it had its own twists and turns, that is, negative aspects but, the crux has always been on the implementation, where real impact affects real life and the sections below deal a great deal on the real test; implementation!

3. SASCO’s strategic perspective on transformation

Our principle world view is correctly captured in our SPOT document which partly characterises our society as follows:
“The 1994 democratic breakthrough came at a time when global capitalism was being hailed in its victorious ‘triumph’ in the course of the Cold War. The period between 1990 and that entire decade saw the consolidation of the hegemony of the capitalist mode of production in the backdrop of a significant left retreat and ideological incoherence as to what should be the appropriate response following the collapse of the Soviet bloc. These factors were largely to influence the response of our own movement in the course of the 1994 breakthrough and subsequent years, the entire scenario had a ‘cause and effect’ relation with the breakthrough and vice-versa albeit in a dialectical manner. This period was characterised by some as marking a New World Order that was unipolar” (SPOT 2005: 2). This is what largely constitutes the post-Cold War international balance of forces. The political, economic and ideological dominance of western ideology popularly known today as; neoliberalism.

The situation as it obtains in our country is defined in our SPOT as an “intersection and dialectical connection between the struggle against race, class and gender” oppression. This situation firmly establishes a revolutionary obligation on the part of the progressive forces to consciously negate the status quo in a struggle to create a “non-racial, non-sexist, democratic and prosperous society” and this “in essence means the emancipation of Africans in particular and blacks in general from political and economic bondage. It means uplifting the quality of life of all South Africans, especially the poor majority of which are Africans and female” (SPOT 2005: 4).

In this context; “institutions of learning are a concerted expression of political power and relatively the balance of forces (and therefore) the immediate task…is to transform the state and related institutions”.

So, we assert that a progressive vision for the transformation of HE must take into account the nature and character of the wider political arena and therefore the resolve to create a better system based on the following principles; “equality, democracy, non-racialism, non-sexism, redress and academic excellence”.
In short the strategic objective of SASCO is to transform society in general and education in particular in line with our democratic struggle for a non-racial, non-sexist, democratic and prosperous society. And our relationship with government and institutions remains complimentary and contradictory to “the extent that government and the state move in tandem with the thinking and policies of SASCO we shall compliment such through our programs (and) if the contrary takes place we shall contradict such”.

In SASCO’s view, the transformation of education cannot take place outside the realm of society equally making progress and speaking of education, we refer to the transformation of the entire education sector from early childhood development to HE because, such a social scientific process and area of change cannot be viewed in isolation from the rest of the happenings in the very society. For example, each stage of education academically prepares one for the next level (irrespective of the known challenges which sometimes undermines this outcome), therefore there are clear linkages in the system, attention must be given to all pre-tertiary levels if HE is transformation to transform successfully in the long term.

3.1 Institutional autonomy and academic freedom: a definition

An attempt to define autonomy and academic freedom (which in some quarters are usually taken as meaning one thing), may prove to be a difficult and yet interesting topic to deal with.

The question then arises; what is autonomy, what is academic freedom? Where is autonomy applicable? Will autonomy ever exist? What is this concept any way; is it theory or practice or both? Perhaps a categorisation may help.

The first point of departure is that; we are discussing this in the context of a public higher education institution; the university. What should be the relationship between the state and a university? Why must the question arise in the first instance? It may appear that we are asking rhetorical and
philosophical questions of no value whereas in fact the debate around autonomy is both theoretical and practical.

Secondly we want to assert that, the concept ‘autonomy’ presupposes a relationship. Autonomous in relation to who or what or even to do what? Is the definition of the concept usually in tandem with the legislated practice? Here, we hold that autonomy is a relative concept and academic freedom is not free.

Thirdly we argue that differing formulations or in concepts be they theoretical or practical is by virtue of universities, the intellectual culture that has come to define the nature of a university, that is, centres of knowledge and information production, therefore the inevitable contest of ideas, from various cultural, ideological and intellectual background is bound to take place.

Fourth, SASCO wants to assert that there is no internationally accepted or universal understanding or uniformity around what constitutes institutional autonomy or academic freedom in terms of content and practice. In the vast literature on the subject we are told that the concept is as old as the conception of a university and equally so, the concept has been debated perhaps since the founding of the first university in the world founded in Egypt Cairo in 969 AD; Al-Azhar University. So, scholars of education, intellectuals, politicians and managers have been debating (perhaps) since then!

Autonomy in one country or even in one university may not mean the same thing to the next individual. Therefore, even at the level of internal stakeholders in a given university there have been evident differing perspectives and South Africa is no exception. The most vocal of the groups being students; always pitted against voices of mostly, armchair academics.

Interestingly, as we shall prove later, there has been an inconsistent application of the concept in practice in virtually all regions of the world, in the Americas, Europe, Africa and Latin America etc and as a result there have thus far been practices of autonomy of varying degrees.
One of the practical definitions of autonomy has been captured in the Universal Declaration on Higher Education in 1998 which declares;

(b). “to be able to speak out on ethical, cultural and social problems independently and in full awareness of their responsibilities, exercising a kind of intellectual authority that society needs to help it reflect, understand and act…”,

(e). “enjoy full academic autonomy and freedom, conceived as a set of rights and duties, while being fully responsible and accountable to society” (UNESCO, 1998: 5).

Although we have great respect for certain moral standards and political commitments we have made as both a member state of the United Nations and UNESCO in particular; the declaration according to agreed international law principles does not have an obligatory effect unlike an international treaty (which although contested and debatable) has a legal binding effect on member states, it is not a statute, it is not enforceable in the International Court of Justice.

That as it may, we will not act opportunistically and pick and choose international conventions on the basis of our subjective interests, there are fairly good things in the declaration like the emphasis on equity of access, accountability etc. At the same time we will not hesitate to differ with the provisions of the declaration if we hold a contrary view.

In 1989, Agnar Pytte President of the Case Western Reserve University in the State of Ohio in the United States (US) quoting from the “Magna Carta of European Universities” declaration signed by 300 European rectors at the 900th celebration for the University of Bologna in 1988, had the following to say on the subject; “for a university ‘to meet the needs of the world around it’ the document read ‘its research and teaching must be morally and intellectually independent of all political authority and economic power’ ” (Pytte, 1989: 219).
A piece by the Centre for International Higher Education, Boston College written by Jairam Reddy in 1999 gives yet another slightly different definition; “In the area of governance, councils and boards of trustees should oversee higher education institutions without government interference; institutional autonomy and academic freedom have to be respected”, and the paper goes on to say; “responsiveness to the socio-economic needs of the country should influence the curricula and range of disciplines offered” (Reddy, 1999: 2).

It remains to be seen that, if “curricula” must be influenced by the “socio-economic needs”; who should then legitimately identify and define these needs for purposes of addressing them?

In yet another region of the world, fusing the concept of a university and the definition of autonomy, the Association of Universities and Colleges of Canada (the Association) in 1986 in the Statement of Academic Freedom and Institutional Autonomy states; “It is the essence of the university to pursue knowledge and understanding and to research for the reasons for things…The right and the responsibility to raise such questions is the justification for academic freedom”. The Association further believes that, “university’s primary mandate (is), the pursuit and dissemination of knowledge and understanding” and further makes the illusionary statement, “freedom of inquiry is fundamental to the search for truth…” (The Association, 1986: 1 & 2).

The Task Force on Higher Education and Society appointed by the World Bank to look at the state of HE in the developing countries, gives the following definition; “academic freedom, ‘is the right of scholars to pursue their research, to teach, and to publish without control or restraint from the institutions that employ them’ (adopted from The Columbia Encyclopedia)” (World Bank, 2000: 60).

At home, in South Africa one of the leading academics, manager and staunch campaigner of academic freedom TB Davie (1895-1955) explains autonomy as ‘our freedom from external interference in who shall teach, what we teach, how we teach and whom we teach’ (cited in Du Toit 2001) whilst prominent
education scholar and proponent of autonomy Jonathan Jansen, argues that the meaning of autonomy in SA is changing and the result therefore is the “gradual but systematic erosion of historical standards of autonomy” (Jansen, 2004: 5).

Some of the views in the paragraph above are shared by many institutional leaders and academics including Vice-Chancellor of UNISA, Prof Pityana who goes to an extent of saying that “…these rights (academic freedom) are ones which have been central to the struggle for liberation in our country” (Pityana, 2002: 12).

In our observation, this statement is too vague and rather ambiguous. Whilst this maybe partially correct, as SASCO we choose to concur with Thriven Reddy who gives a clearer and balanced account of the role of HE during apartheid and post-democracy era when he writes; “the role of HE institutions in social change during apartheid is more obvious and clearly visible than its role in the ongoing transformation of contemporary South African society. However, the intensely differentiated nature of HE both in the past and present makes it difficult to speak about it as a ‘system’ having coherence and an undifferentiated identity; hence it is problematic to conceive of a positive empirical relationship between HE and social transformation in SA” (Reddy, 2004:).

To illustrate the above point for instance; whilst many black student activists and few progressive academics and workers actively took part in the resistance struggle; institutions themselves did not serve as catalysts for change. This proves the complexity of comparing the role of HE institutions between the two eras in SA. It is bound to be an uneven, inconsistent and at times contradictory because even in historically black institutions (HBI) the political protests were sometimes triggered by repressive internal policies, sometimes due to managers who feared the apartheid regime and wanted to protect their careers and lives. One thing is certain though, that is, at a system level, HE served the narrow illegitimate interests of the white minority.
The 2002 research conducted by the Council on Higher Education (CHE) on Governance in SA Higher Education reflects on the challenges faced by the governance model both at a system and institutional level. In relation to government understanding, the report broadly discusses the three levels of state’s practical interaction with HE, that is, ‘steering’ largely autonomous institutions, ‘direct control’ in the public interest and state ‘interference’ “which was to describe South Africa’s particular history under apartheid” (CHE, 2002: 92).

The significant point to highlight in this respect is the fact that, the report does not provide a conceptual formulation of what autonomy or academic freedom is but assesses co-operative governance as a model for both the system and institutions alike.

Again the complexity or rather dynamism of the attempt to define autonomy is reflected in the policy and legislative framework of government. It appears that the complexity of coming with a definition gives institutions the liberty to be ‘autonomous’ in defining autonomy hence the different versions. And yet the policy framework ascribes the state to fund, regulate, play an oversight role and ensure accountability of institutions.

So who must define autonomy and academic freedom? This is a relevant question because; the three most important policy document in HE, that is, White Paper 3, NPHE and the Higher Education (HEA) Act 101 of 1997 (as amended) do not provide a clear-cut definition. All the documents generally refer to, the political mandate (legitimate) of the state, co-operative governance as a principle, accountability, consultation and at least the NPHE stands out in stating that, the HEA “does not grant HE institutions unfettered autonomy or independence” (NPHE, 2001: 13).

The failure to come up with a clear definition (or the development of a broad and open framework) has its own advantages and disadvantages. The advantage is that the state can be at liberty to intervene in cases where institutions do not deliver according to their mandates with less restrictions and almost any time, the disadvantage is the fact that institutions tend to be
arrogant and stubborn to an extent that the intervention of the government is contested in a court of law to evaluate its appropriateness and in this instance the tax payer’s money is wasted in unnecessary legal battles. For instance, it has become fashionable for institutions to run to court on the basis of paranoia around the intervention of government in SA.

3.2 SASCO’s conception of autonomy and academic freedom

Before we look into how autonomy has impacted in the HE system especially on governance and transformation in post-apartheid South Africa, we want to pause for a while and examine the conceptual frame of autonomy and academic freedom.

In doing so we choose to start by quoting the 2002 CHE Report:

There is, then, every indication that direct control of higher education is not effective in developing countries, and may be the cause of acute disadvantages which undermine the ability of HE institutions to meet their primary goals of promoting economic development, social justice and interest of civil society. However, it is also apparent that the quasi-market analogies favoured in places such as the United Kingdom, United States and Australia are equally inappropriate, and may bring serious problems of their own” (CHE, 2002: 95).

As a starting point SASCO views education as part of a wider movement of social phenomena in society. We believe that ruling ideas in society are those of dominant social forces in society’s public and private life. And currently as our SPOT stipulates, the dominant ideas are those of market-capitalism popularly known as neo-liberalism.

Given this situation we hold that, education as a socio-political instrument in the battle of ideas is not neutral; depending on the balance of forces in a given society, education may be a tool for either progress or regress. And at the moment the neo-liberal offensive has largely taken over with few societies that still resist this backward agenda.
At the moment the general trends internationally point towards the following:

- There is a growing number of private institutions especially in developing countries which are headquartered in mainly developed countries,
- There is a growing tendency from some of the WTO business and government members who want unfettered access to the so-called ‘education market’ and thereby displaying intentions to reduce education to a mere commodity in the market,
- There is a growing tendency amongst institutions to commercialise institutions of HE:
  - The historical problem of skyrocketing tuition fees for purposes of profit (the Canadian Federation of Students’ campaign “Reduce Tuition Fees” is but one example);
  - The corporatisation of institutions, building of misguided corporate images and cultures, that is, developing client-service provider relationships,
- The historical tendency of maintaining the ivory tower image of institutions as if they do not exist in real societies with real challenges,
- The tendency by big business to invest in narrowly defined market oriented research and thereby undermining the very autonomy which is so much defended by many institutions,
- The tendency to suppress genuine student struggles because they are “irrational and radical”, a situation that kills democratic ethos of governance, etc.

SASCO strongly believes that HE education institutions must be responsive to societal challenges primarily because they largely possess the monopoly of information and knowledge production and yes, if the public invests resources in the system, the system must respond by serving the public, after all they have been created for such purposes in the main.

We also hold that because no institution or individual is neutral, equally, no institution is autonomous or has academic freedom, in absolute terms that is.
All institutions are partisan; all institutions are influenced by cultural, political, social, economic and ideological currents that one finds in any given society.

So, at the end of the day whether an institution is wholly or partly private or wholly and partly public, it has a superior authority that it accounts to, this can take various forms and contexts, that is, intellectually, economically, (irr)regular and compulsory reports, etc.

Indeed, there are certain conceptions of autonomy that make sense but, there also those that do not make sense at all. On the other hand there are certain levels of government control which are not good for the system. But what is important to SASCO are the checks and balances that will accompany any definition of autonomy.

Perhaps we must admit, not only is it difficult to define autonomy but it is as well dangerous much as it is to refrain from doing so. Rather the solution would be to define the rules of engagement. We believe it is better to define autonomy in terms of what should happen as a framework at a system and institutional level.

Without creating new confusing concepts, perhaps it is even unnecessary to call it autonomy. Public institutions should remain national assets of prestige. Obviously we do not expect government to run universities like primary and secondary schools but we clearly differ with the following notions:

- Unfettered autonomy which normally breeds arrogance,
- Unfaithful reference to so-called “political interference”,
- Blatant disregard for social responsibility as a third important mandate of HE institutions,
- Unprincipled reference to academic freedom as meaning freedom to choose “who teaches, who is taught, how they teach and what to teach”.
- Micro-management of institutions
- Voluntarism in so far as government policy is concern
Institutional autonomy and academic freedom should mean the following; institutions must continue to conduct research, publish their findings and opinions without censorship, continue the intellectual enquiry culture, evaluate and criticise social processes in society, manage themselves at a micro-level, give practical effect to the aspirations of the public, government must move beyond steering to effect certain governance decisions as it relates to macro-policy with clear checks and balances, government must monitor and drive transformation in instances where institutions fail to comply with policy imperatives, and improvements must be made on how institutions account for failure or success in transformation.

Finally, according to our view, institutional autonomy and academic freedom are mutually exclusive concepts. They do not necessarily mean one thing. Institutional autonomy refers to governance and this is a privilege and on the other hand academic freedom refers to the academia in its conceptual and practical sense; and this is a right given by the Constitution, Act 108 of 1996.

4. The concept of a university, higher education and social transformation

It is SASCO’s view that, a university by its very origins and nature is a social institution comprised of social human beings who are engaged in an educational and intellectual inquiry to find suitable solutions to challenges facing humankind including the freedom to reason about the very nature of these challenges. Education acquired for the sake of it, is like education never received because; it is inactive and therefore useless. It is a waste to study to do nothing, rather do nothing at all or choose to study nothing as a discipline, if that is practically possible.

Karl Jaspers wants us to believe that; “a university is a community of scholars and students engaged in the task of seeking the truth…three things are required of a university, professional training, education of the whole man, research. For a university is simultaneously a professional school, cultural centre, a research institution…” (cited in Neave 2000: 47).
Whilst the above is partially correct, the first part is completely misleading: ‘truth’ can only be relative and so, any search for ‘truth’ is illusionary and wasteful.

We firmly agree with White Paper 3 that, the mandate of HE institutions should be defined as to:

- Ensure teaching and learning
- Conduct research
- And respond to social responsibilities

This is a truly locally relevant and internationally sound assignment for a university in a South Africa in transition. This is so because in SA, institutions are obliged to account not only on public funds but, on transformation too. For instance, there is a need to restructure the curriculum to reflect the experiences, histories, cultures, heritage and politics of the marginalised.

Education is a ‘public good’ which must be oriented towards public interest. HE must “simultaneously improve individual lives and enrich the wider society, indicating a substantial overlap between private and public interests in HE. Higher education must raise wages and productivity, which makes both individual and countries richer (and develop). It allows people to enjoy an enhanced ‘life of the mind’ offering wider society both cultural and political benefits”.

In summary, the NPHE makes this point more clearer when it states that HE must:

- “Promote equity of access and fair chances of success…,”
- Meet, through well-planned and co-ordinated teaching, learning and research programmes, national development goals…,”
- Support democratic ethos and a culture of human rights through educational programmes and practices conducive to critical discourse and creative thinking…,”
• Contribute to the advancement of all forms of knowledge and scholarship…” (NPHE, 2001: 7).

Therefore, a truly single nationally co-ordinated education system must reflect this ability and must actually strive for these imperatives so that; we can truly say we are building a people’s education.

4.1 The state of higher education: challenges in the system

Since autonomy and academic freedom speaks to the heart of the transformation discourse, it is important to reflect then on the state of higher education in the country both at a system and institutional level in contrast to these concepts.

The general conclusion reached by the Task Force on Higher Education and Society in 2000 on the state of higher education in developing countries is that; “in the past decades, developing countries have witnessed a rapid expansion of HE, the simultaneous differentiation of HE institutions into new forms and the increasing importance of knowledge for social and economic development”, something which is quite evident in our discourse too (World Bank, 2000: 23).

Expansion of the HE system means more resources will now be needed for sustenance. But the experience thus far is that ‘public universities in Africa and Asia often devote up to 80 percent of their budgets to personnel and student maintenance costs, leaving few resources for infrastructure maintenance, libraries, equipment, or supplies – all key ingredients in maintaining a research establishment’. It is for this and other reasons why SASCO calls for the review of remuneration packages especially for senior management and has since in 2005 embarked on the Student Services Campaign, precisely to address these challenges.

At an institutional level, in relation to the challenge of policy implementation and governance of institutions; Jansen makes the following correct observation on the “steering” capacity of government:
“...there is more and more evidence that profound policies and detailed plans tend to have very little effect on the day to day operations of institutions – with one exception: the manipulation and allocation of funding", an analysis that we fully agree with. (Jansen, 2004: 13).

But then in so far as wanting to assess the impact of autonomy of institutions and in particular the current model of governance on transformation, a challenging question needs to be asked: “when does an institution cease to exist?”

Do we have a university because it goes ‘through the routine of annual graduation ceremonies?’ Again a useful and eloquent response is given by Jansen: “…you may recognise another university in which the entire place has been transformed into a commercial centre, the departments called ‘cost-centres’ and the students called ‘clients’; in which every ‘management’ meeting is consumed with balancing the budget in the light of impending subsidy cuts; in which the response to external intervention is one of compliance and consent; in which the accumulation of larger and larger numbers of accredited publications is pursued with relentless vigour; in which teaching is equated with technology; and the mechanics of research confused with the elegance of scholarship. Just about everyone in such a place is in the business of (ac) counting. Here too, the university has long ceased to exist” (Jansen, 2004: 16). And we cannot agree more!

The above analysis, tells us about the acute challenge of institutional culture in the governance of institutions. Apart from systematic racism as a culture in historically white institutions; “the administration of routine functions—personnel, finance, facilities, security—are deeply embedded in a staatsdiens mentality that values compliance over consensus, authority over logic, hierarchy over democracy, rank over reason, and coercion over compromise. And this is the principal reason why it is so difficult to market an otherwise impressive institution—the constituent parts contradict each other, loudly, in the public domain” (Jansen, 2005: 5).
In historically black institutions whereas we recognise the impact of apartheid policies and its morality on them, ‘an orderly, well-maintained, predictable, stable and rule-bound institutional culture’ usually does not exist – with the exception of a handful. This is why the Minister appointed Independent Assessors in institutions like the former University of the North, Transkei and Fort Hare. But the ‘staatsdiens’ culture may well be alive in some of the historically black universities too.

Generally, there has been certain commendable changes in the system as a whole, and this proves the progressive nature of some of the positive policies of government. But we must caution; credit may go beyond the role of government to even include unintended consequences of coincidence. However we note the following significant changes since 1994:

- Student enrolment has grown from 473 000 in 1993 to 718 000 by 2003, an increase which is “beyond government expectation”. And at the same time, both the participation rate of Africans (approx. 60%) and female students (just above 53%) has considerably increased over the period under review (statistics deduced from the Enrolment Plan).

According to SASCO, the following additional challenges exist in the system, some may be relatively new, but some are definitely persistent in varying degrees:

- First, the nature of our political transition and the amount of redress work to be done makes the system look unstable as there is ongoing experiential policy development processes without adequate time to implement and evaluate. An objective challenge that may well be beyond our capacities.
- Second, the monitoring, evaluation and early warning capacity of government is weak especially in governance trends, capacities and complexities of the available models (including macro-policy). For instance, the mess around the implementation of the mergers which went through without proper monitoring mechanisms and thereby affecting student life badly.
Third, some structures of governance are either non-existent or dysfunctional. For instance the Institutional Forums, student services councils and the lack of student participation in key committees such as the Financial Aid Committees.

Fourth, the HEA is easily open to contestation including the model of students governance which is usually the area of contest between stakeholders at an institution level and even in cases where the government is reasonably justified to intervene (of which thus far there has not been contrary evidence), institutions are quick to challenge government in court. Government appears to be at the same level of authority with institutions and this has created arrogant ‘untouchable islands’ in the system.

Fifth, institutions have deliberately neglected their third important mandate, that is, social responsibility hence their local and regional relevance is questionable. And institutions continue to be ivory towers, isolated from society!

Sixth, there has been an inconsistent application of the concept in practice throughout all regions of the world, in the US, Europe, Africa and Latin America, there has thus far been practices of autonomy of varying degrees, there is no uniformity, there is no consensus. We also observe that misguided autonomy in SA has failed transformation in HE partly because, it is a contested concept and that the manner in which it is articulated in policy; is not manifested consistently or even correctly in practice; the nature of universities as centres of knowledge production makes it inherently difficult to regulate/conceptualise the practice of autonomy, and yet it is possible.

Seventh, the commitment of especially the historically white institutions to transformation is questionable; the urgency of the situation cannot be overemphasised. And the ministry must ensure that indeed transformation “is not negotiable”.

Eighth, the redress funds and the three year rolling plans have not yielded in varying degrees the desired results. They have proven to be weak instruments and the funding formula has proven to punish
students more that it should to those who are vested with the responsibility to implement transformation. This situation has resulted in financial and academic exclusions. We await to see the impact that the recapitalisation funds will make!

- Ninth, student services have not been a priority of many institutions for a long time now and student life is perpetually deteriorating.
- Tenth, curriculum transformation and programme mix is not going as fast as it should.
- Finally, the proposed enrolment plan has created confusion of unprecedented proportions in the whole system and institutions have responded negatively to the detriment of student life.

5. Conclusion, proposals and future perspectives

If society is to benefit from the much needed knowledge and human resource for social and economic development; in short the role of HE in our country, the above challenges will have to be confronted with as much clarity and vigour as possible. SASCO proposes the following practical things in terms of policy development:

- First, all institutions must develop transformation charters with clear targets and intended outcomes, monitoring and evaluation timeframes and mechanisms jointly with the ministry;

- Second, the minister must regulate or enact a national framework for student tuition fees (which must include clear bargaining powers of students) and minimal conditions for the remuneration of senior managers of institutions;

- Third, institutional infrastructure must as well form part of the subsidy formula and allocations and all student services councils must be operational;

- Fourth, the HEA must be amended to define clearly, the model of student governance; make it compulsory for vice-chancellors to report directly to Councils and the minister simultaneously, the procedure for
the appointment of vice-chancellors must be more democratic and allow for broader participation, define clear parameters of institutional autonomy (rules of engagement);

- Fifth, as part of curriculum transformation, we support the current project to review the syllabus of SA history, we therefore propose that at the completion of this project, **history as a subject be made compulsory** (from primary to tertiary level) community service must be compulsory to all students too;
- Sixth, the ministry must clarify the intentions of the enrolment plan and ensure that the plan is not used as a basis to exclude students, otherwise we remain opposed to the plan if it pursues exclusion as its main thrust and institutions must be stopped from implementing the plan before hand;
- Seventh, it is the responsibility of government to ensure that there is social cohesion. All forms of unfair discrimination both systematic and direct must be reported, investigated and ended;
- Eighth, the role and the powers of the IF must be reviewed and its powers must be increased in certain aspects of governance because, at the moment the structure is lame-duck;
- Ninth, institutions and the minister must from time to time jointly develop and put resources for institutions to implement their social responsibility mandate and there must be a separate review process for this, until institutions take the community serious, including SADC and Africa;

This in essence; means that **SASCO supports in the main institutional autonomy and academic freedom whereby the government is able to define the rules of engagement with clear frameworks of checks and balances** (*our emphasis*); not the current situation where both the dog and the tail has equal powers to wage each other.

We are mindful of the experiences and lessons that we are always drawn into whenever the debate of institutional autonomy and academic freedom arises. For instance, here in Africa, the notable and much talked about institution is;
University of Makerere in Uganda where the institution declined from the 1960's state of being one of the few leading research institution in East Africa with an excellent academic culture of intellectual inquiry to a brink of total collapse before it was saved in the early 1990’s. This situation, it is argued was precipitated by the unlimited and direct political control in post-independent Uganda and we are also aware of the current successes of Makerere and how she found her feet again and also how some of the universities went through the same experience in post-independent Africa.

But similarly, it can be argued that, in a situation where institutions are resistant to progressive change (transformation); they run the risk of being unstable and therefore unsustainable in the long term. This is the lesson we learn from the struggle against apartheid, that, at the beginning the struggle against national oppression in SA has always been principally non-violent, peaceful and less confrontational but, the reaction of the regime gave the people of SA no option but to resort to violent confrontational ways of engaging the system, the result was the patience of the people running out and it became expensive and destructive to sustain the regime and ultimately impossible to keep the status quo, which was apartheid. This is only but scientific, it may happen again in the future under any political system if capacities of early warning are not strengthened!

Finally; increasingly the public, the masses of our people entrust the government as the custodian of their hopes and aspirations, with the responsibility to act in the best interest of these masses in order to liberate them from all forms of oppression including the denial to the right to quality public education and a better higher education to unearth their several and collective potential to build a non-racial, non-sexist, democratic and prosperous South Africa characterised by equality, justice and human dignity.

This is what the people of South Africa want. This is what they know the struggle to be about. This is what they expect higher education to do. This is what the people of SA perceive the struggle to create a single nationally co-ordinated education system for current and future generations. This is how they perceive the relationship between the state and higher education.
This is what the students of South Africa want!

End.

References


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