

AFFIRMATIVE ACTION AND TRANSFORMATION IN HIGHER EDUCATION IN SOUTH AFRICA: REFLECTIONS ON THE CASE OF THE UNIVERSITY OF CAPE TOWN

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NMU and UCT

Introduction

- Brief overview of South African higher education and enrolments
- Legislative context for affirmative action
- The UCT Admissions Policy Moment
- Some Reflections

Overview of South African higher education and enrolments

In 1994, when South Africa formally became a democracy, it had a racially distorted higher education landscape. Its 36 universities were not only racially defined institutions, but it had high white and extremely low levels of black enrolments. This situation had arisen as a result of the perversely named Extension of University Act of 1959 which, firstly, created several new ethnic universities, and secondly, permitted the admission of people not classified white into white universities only on specially defined grounds

Overview of South African higher education and enrolments

1960s - 39,390, 4,207 were black.

1990 - 293, 639, 153,035 white,
104,130 African,
17647 Coloured
and 18827 Indian.

For the African community, based on the eligible age-cohort, a participation rate of approximately one percent.

2008 - 799,490

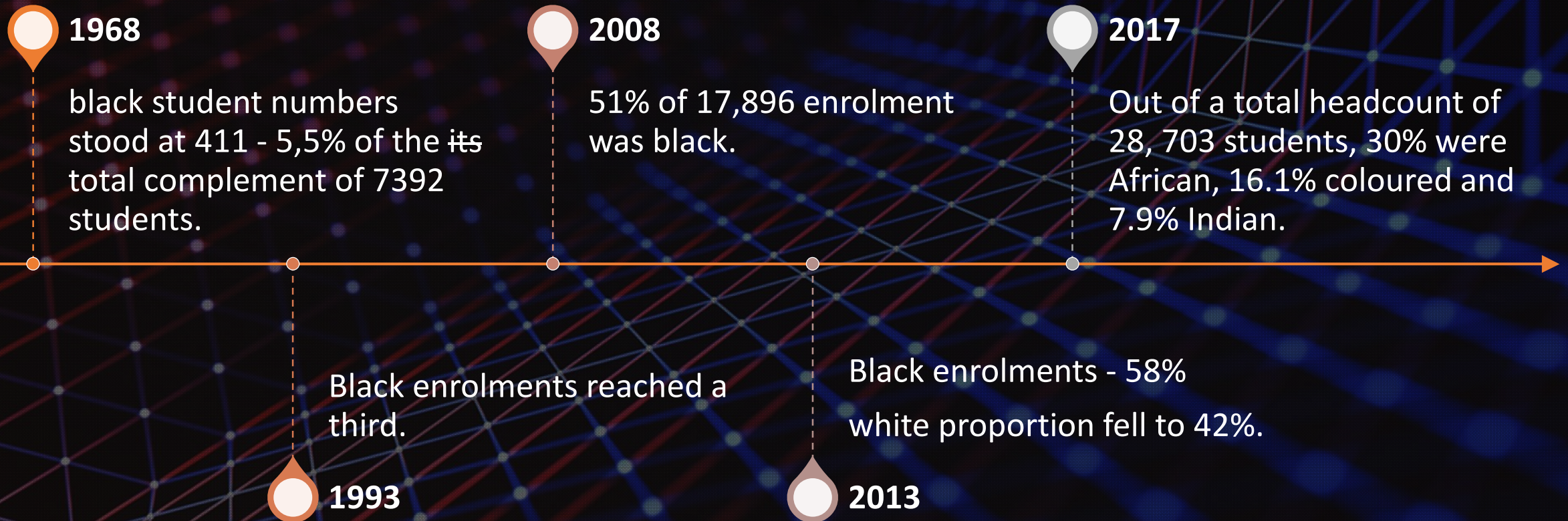
2016 - 975,837

2017 – 1,036,984

African 763,767, white 148,802,
coloured 64,772, Indian 50,131

2021 – 1,100,000, African participation rate
16.3%

Overview of South African higher education and enrolments - UCT

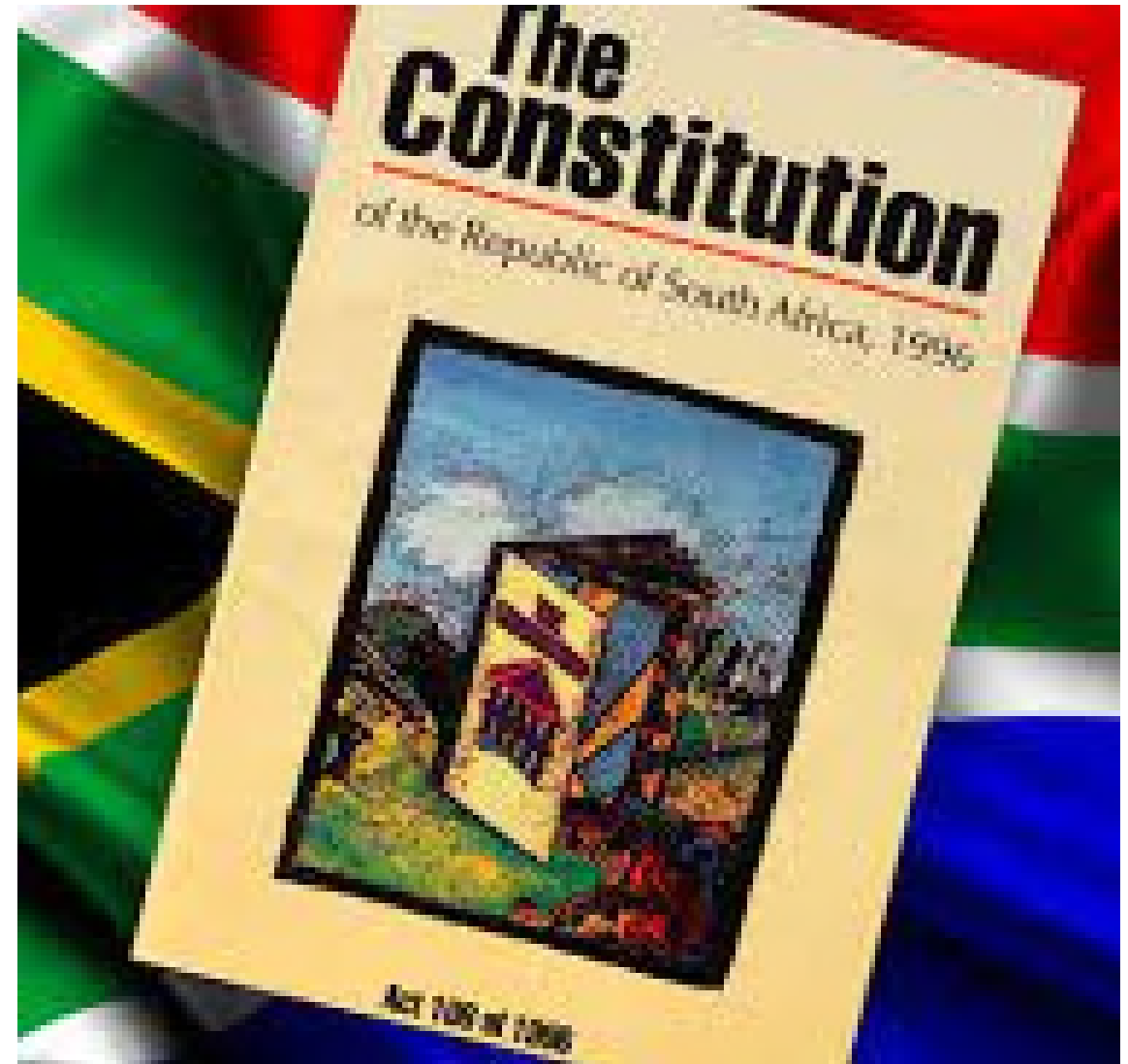


The South African Constitution and Affirmative Action

Constitution makes deliberate provision for what it calls 'fair discrimination':

“to promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken”.

The Constitution mandated the necessity for affirmative action in a context of ‘... deeply rooted, informal racial discrimination.’



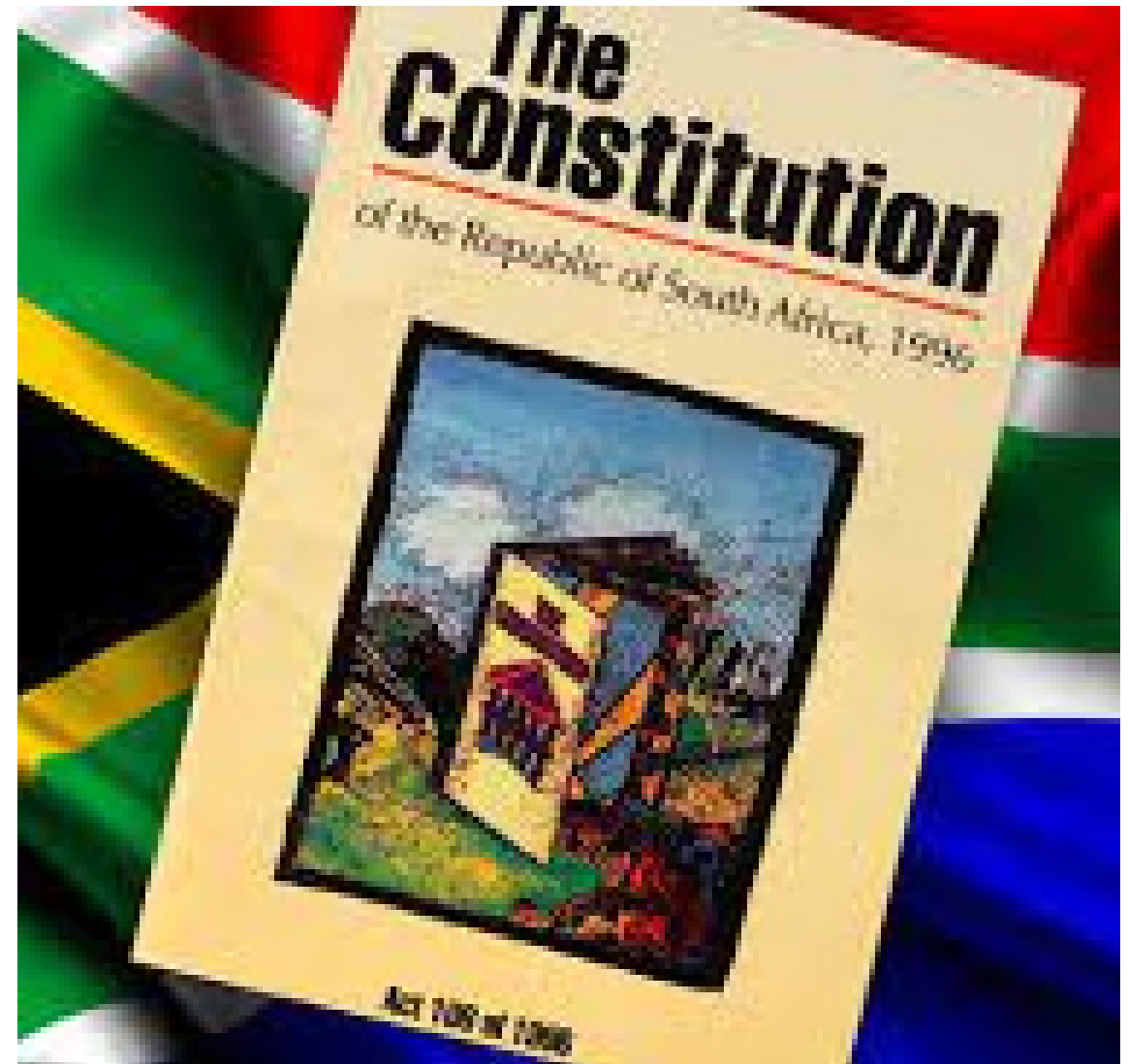
The South African Constitution and Affirmative Action

How 'fair discrimination' – affirmative action – was, and remains, to be interpreted and practised is not stipulated in the Constitution.

There has been, as a result, regular controversy over its application.

This has been particularly evident in higher education with UCT at the forefront of developments.

Predictably, the question of 'race' has been the focus of most debates.



ADMISSIONS AT UCT

- The Preamble to its Policy on Racism and Racial Harassment (UCT, 2008) committed the institution to, *inter alia*:
- The elimination of racism, racial prejudice and unfair discrimination in its corporate conduct at every level of institutional governance;
- Engendering, through its policies, procedures, processes, practices and structures, an anti-racist and rights-based culture, which includes respect for human dignity and diversity;
- Planning for and promoting equity, equal opportunity and fair treatment through inclusive policies and practices in all spheres of university life....



Admissions Policy

Immediately after the Racial and Sexual Harassment Policies were adopted in 2008 the University embarked on a consultation process to review its admissions policy. It set up an Admissions Policy Review Task Team (APRTT) and a Commission of Enquiry.

The policy in use had been in operation for over two decades. It sought, as explained by the Vice-Chancellor at the time, Max Price, “to increase the numbers of African, Coloured, Indian and Chinese students”.

This had been necessary, explained Price, because the competitive nature of the process, if it were to be based simply on the national senior certificate results, would yield very few African students.



Pre-2014 Admissions

Admission targets set for each population group in every programme of study offered at the University.

Targets were determined by the country and the Western Cape's demographic profiles, minimum thresholds determined by historic performance profiles in each programme and an estimation of the number of candidates based on historic applications for a particular programme.

The policy was based on four baskets, one for each of the black groups, African, coloured and Indian, and an 'open' basket for all undeclared applicants, all white applicants and all international applicants.

Policy Consultations

The consultation process, predictably, brought to the fore the country's most important explanations of itself.

It took place primarily in the five different faculties of the University, in forums especially organised for the discussion and through a commission of enquiry deliberately mandated to hear opinions from the campus and from the wider public about the matter.

Admissions Debate

The debate, in the maelstrom of all these positions, essentially crystallised around two positions:

FOR RACE: to retain the existing policy and so, pointedly, to keep 'race' as the determining factor.

AGAINST RACE: and to do away with 'race' in favour of what were described as 'direct' factors for disadvantage.

Neither of the two positions, it needs to be emphasized, was internally homogeneous or even consistently politically aligned. What had emerged was that a range of postures were in evidence within each of the two positions.



FOR RACE

Represented by

liberals, who self-identified as 'white', 'coloured', 'Indian' or 'African' and who were anxious about racism and racial dignity,

Marxists who were not satisfied with the argument that 'race' was an epiphenomenon of class,

Nationalists, largely black, who believed in the idea that South Africa was an essentially black country and

Old-style conservatives who defended biological essentialism.

FOR RACE

Black liberals - believed in the equality of 'races' and the necessity for including black people on an equal basis in everyday life. Mmusi Maimane - "Any view that seeks to deny race will ultimately deny the lived experience of many because of their race... We don't need to deconstruct race. We need to deconstruct the stereotypes, prejudice and discrimination..."

White liberals in this position also proceeded from the point of departure that 'race' was an important dimension of people's ontological realities and that all people, irrespective of their backgrounds, should be included in society.

Progressive liberals understood the argument that 'race' was a social construction but rejected its disavowal of racial identity. They were anxious about the accusation of colour-blindness.

FOR RACE

The Marxists in this grouping grounded their arguments in economic structuralist foundations but insisted that exploitation depended on racial oppression and that, therefore, validating blackness was important.

Black nationalist arguments pivoted on the argument that African people and the African working-class were especially targeted by capitalism and colonialism and therefore deserved, above Indian people, special favour.

FOR RACE

Mangcu brought these arguments together in his defence of the category of 'race': "I accept the multiracial in (Luthuli's) formulation because it seems to me a pragmatic recognition of the racialised identities that no amount of scientific rationality, left-liberalism or Marxism can diminish."

AGAINST RACE

Colour-blindness

Gwen Ngwenya: focus on *actual* disadvantage as opposed to the use of 'race' as a proxy: "In South Africa black people constitute the majority of those disadvantaged, in almost every area of disadvantage. Therefore if policies are put in place to address educational deficiencies in low quintile schools without reference, the principal beneficiaries would be black; similarly, a policy to address spatial inequalities would in all probability too have black people as the majority of recipients."

AGAINST RACE

Neville Alexander began on the principled position that affirmative action is what he described as 'reverse racism', but moved towards a pragmatic settlement in consideration of the circumstances of the day: "... the only manner in which, under the difficult conditions of the transition, a policy of affirmative action can succeed is if it is clearly related to discrimination based on skin colour (or gender, or disability) in the past and if it is limited in time to, say, one or two generations."

AGAINST RACE

Alexander

“... identities are socially constructed; we are not born with an ‘identity’, even though we may be predisposed by the circumstances of birth to assume a specific identity.... Identities are, therefore, contested. The categories, ‘coloured’ and ‘bantu’, to take two recent South African examples, were and are) rejected by many.... This rejection is part of the larger social struggle for equality, freedom, dignity and fair access to the resources of the country”

Commission of Enquiry Recommendations

The reliance on 'race' as the proxy for disadvantage to the extent that this has been the case to date, and to the extent to which the self-declared 'race' category of each applicant informs the calibration of the current admissions basket system (in terms of the *redress categories* and the *open category*), is undesirable.

The University should aim to implement a revised admissions policy, using alternative markers of disadvantage.

**New Policy
– a Hybrid
Race-Conscious
Policy
- three bands
of selection.**

Band 1: 10 to 20 percent of the students selected strictly on their academic performance. To facilitate entry for the best academic performers irrespective of social considerations.

Band 2: 60 to 80 % - combination of academic performance and disadvantage weighting. Disadvantage was based on direct social indicators, e.g. school attended, parents' and grandparents' level of education.

Band 3: 10 to 30 percent of a class, based on academic performance and 'race'.

Rationale for New Policy: Max Price



It achieves a substantial move away from a reliance on 'race' in that for most programmes, about 80% of the class will be selected on a 'race-blind' basis.... redress and social justice are promoted not through privileging people just because they are black, but because of how legislated race discrimination impacted and still impacts on their lives – their home backgrounds, their parents' education and ability to support them at school, where they live, their schools, their cultural capital. Yet we have found it necessary to keep 'race' in the policy because at a university like UCT, ... Removing race altogether would be a bad thing at this stage in South Africa's development, because it would suggest that race no longer matters.

Reflections

The value of the UCT experience was that it emphasized the difference between the idea of 'race' and the experience of racism.

It challenged their persistent conflation, the process through and in which one idea, in this particular instance 'race' but actually any identity social construction, serves to take in the complexity of a social experience beyond its signifiatory capacity.

Reflections

Strengths: What the UCT work did was to lift out the relationship between empirically identifiable phenomena, such as levels of education, and social effects; and **their** importance in determining how to account for disadvantage in more measurable ways.

Weaknesses: The resolution to which UCT came clearly was unable to speak to the intense feelings of pain which accompany experiences of racism.