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Academic Freedom, Institutional Autonomy and Public Accountability in Higher Education: a Framework for Analysis of the 'State-Sector' Relationship in a Democratic South Africa

Research Report

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Research report prepared for the CHE Task Team on South African Government Involvement in, and Regulation of, Higher Education, Institutional Autonomy and Academic Freedom (HEIAAF)

by Ruth Jonathan

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Preface

This paper by Ruth Jonathan is one in a series of research papers on the topic of academic freedom, institutional autonomy and public accountability in contemporary South African higher education. These perspectives have been commissioned as part of the enquiry of an independent Task Team, convened by the Council on Higher Education (CHE), to investigate the past decade of regulation of South African higher education by government and other agencies, and to promote debate on conceptions of autonomy, freedom and accountability, in general, and in the specific context of higher education transformation.

Amid concerns and claims by some that the nature of government involvement in South African higher education in the second decade of democracy is in danger of moving from 'state steering' to 'state interference', the CHE believed it important to undertake a sober and rigorous investigation of the issues, so giving effect to the CHE's responsibilities independently to advise the Minister of Education, to monitor and evaluate higher education, and to contribute to higher education development.

Specifically, the Higher Education, Institutional Autonomy and Academic Freedom (HEIAAF) Task Team investigation – ongoing between 2005 and 2007 - has aimed to:

- stimulate research and writing;
- build shared understandings of institutional autonomy, academic freedom and public accountability, through the creation of various public forums, public discussion and debate on these important principles; and
- develop consensus, as far as is possible, on the nature and modes of government involvement in higher education transformation, and on the relationships between government and other regulatory bodies, and higher education institutions.

Five key mechanisms were adopted by the Task Team for these purposes.

First, an overview of recent and current debates in South African higher education around the issues, was commissioned and completed in October 2005. The overview was posted on the CHE web site, together with a select bibliography of further reading, as a means of informing and stimulating wider debate.

Second, the Task Team issued an invitation to stakeholders (stakeholder bodies, higher education institutions, institutional stakeholder formations and individuals) to make submissions in writing or in person, on issues falling within the scope of the HEIAAF enquiry. These too were posted on the CHE web site and formed part of the source materials provided to commissioned researchers.

Third, the Task Team has supplemented, and continues to supplement, stakeholder submissions by conducting interviews with selected individuals or groups having knowledge, experience, perspectives or affiliations central or relevant to its enquiry.

Fourth, independent research projects were commissioned by the Task Team. Research proposals were developed, in the first instance, on the basis of lines of enquiry suggested by the overview of recent and current debates, and by stakeholder submissions. In addition, the intention was that the individual pieces of research should afford complementary and multi-faceted perspectives on the core issues of the HEIAAF enquiry, allowing for the sum of the individual projects to be greater than their parts. One such research outcome is presented here: a finished paper in its own right, it has been abbreviated from a longer research paper by Ruth Jonathan whose research is ongoing. It is hoped the completed work will ultimately appear as a monograph published by the CHE. One such research outcome is presented here as one in a set of research reports published by the CHE.

Fifth and finally, the Task Team has organised and accessed structured fora, in order to facilitate discussion, exchange views, and further debate. Six regional fora served the purpose of engaging institutional and other stakeholders in the debate (convened in Pretoria, Bloemfontein, Cape Town, Johannesburg, Durban and Port Elizabeth, between March and June 2006).

The Task Team's investigation will culminate in the latter part of 2007 in an independent research report; a national seminar for the purpose of disseminating the report; and a report to the Minister of Education (which may be the research report, or alternatively, may be a policy report prepared by the CHE on the basis of the Task Team's independent report). The current moment in the investigation is an important one for consolidating the investigation through continued engagement with the issues and the Task Team will convene a public seminar for this purpose early in 2007. This paper is, therefore, offered as a means of building the debate, and developing shared understandings through reflection and engagement, towards the envisaged outcomes.

Dr Khotso Mokhele
Chair: CHE HEIAAF Task Team
November 2006

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Note on the Author

Ruth Jonathan is Emeritus Professor of Educational Theory and Policy at the University of Edinburgh and an Honorary Fellow there in the School of Social and Political Studies (of whose Graduate School she was for ten years the Founding Director). Since 1997 she has been an Extraordinary Professor at the University of the Western Cape, and since 1993 Life Vice-President of the Philosophy of Education Society of Great Britain. She has taught graduate students both of Education and of Social and Political Theory at Edinburgh and widely in Europe, Canada and Australia since 1980 and has advised on educational policy particularly in Scotland, England and Wales and post-communist Hungary.

As a philosopher with a focus on educational questions, her research interests and publications centre on questions of equality, social justice and educational excellence. For twenty years she has critically analysed the educational and social implications of the quasi-marketisation of educational goods and the quasi-commodification of knowledge. Much of her work in recent years has focused on the transformation of the higher education sector in South Africa.

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Acronyms

AAU	Association of African Universities
ANC	African National Congress
AsgiSA	Accelerated Shared Growth Initiative for South Africa
CHE	Council on Higher Education
CHET	Centre for Higher Education Transformation
CODESRIA	Council for the Development of Social Science Research in Africa
DoE	Department of Education
DST	Department of Science and Technology
GDP	Gross Domestic Product
GEAR	Growth, Employment and Redistribution
GNP	Gross National Product
HEIAAF	Higher Education, Institutional Autonomy and Academic Freedom
HEQC	Higher Education Quality Committee
HESA	Higher Education South Africa
HSRC	Human Sciences Research Council
JIPSA	Joint Initiative for Priority Skills Acquisition
NCHE	National Commission on Higher Education
NEPI	National Education Policy Investigation
NGO	Non-Governmental Organisation
NQF	National Qualifications Framework
NUSAS	National Union of South African Students
PQM	Programme and Qualifications Mix
R&D	Research and Development
RDP	Reconstruction and Development Programme
SASO	South African Students' Organisation
UCT	University of Cape Town
UK	United Kingdom
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
US	United States
Wits	University of the Witwatersrand

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Academic Freedom, Institutional Autonomy and Public Accountability in Higher Education: a Framework for Analysis of the 'State-Sector' Relationship in a Democratic South Africa, by Ruth Jonathan

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Introduction and outline

In recent years, South African higher education discourse has been marked by various concerns and claims, on the one hand about a putative erosion of academic freedom and infringement of institutional autonomy on the part of 'the state', and on the other about perceived failures of public accountability on the part of institutions. The resulting tensions provide a clear indication that the optimal features of a relationship among all organs of state, geared to the needs of transformation under particular social conditions and in a specific global context, require fuller exploration. Those needs must be considered in the light of shifting socio-political conditions (nationally, regionally and internationally) over the last decade, of developmental and democratisation imperatives for South African society, and of the in-principle roles of state, government and sector in a post-apartheid context.

That being the case, this paper will offer a framework within which an analysis of academic freedom, institutional autonomy and public accountability might be taken forward in the South African context. It presumes that those concepts should be treated as distinctive but mutually constitutive: though they may give rise to separable questions, they are most usefully considered as interlocking concepts; that is, differentiated, but intrinsically interconnected and complementary. Appropriate understandings of those concepts, it will be suggested, require a recasting of their appropriate reference and implications, with sufficient attention paid to the first term in notions of 'academic freedom', to the implications of the first term for the second in conceptions of 'institutional autonomy', and to the breadth of application of the first term in the under-explicated phrase 'public accountability', with its particular resonances for institutions of higher education in a society in process of giving increasing substance to recently won formal democracy.

The paper starts from a broad canvas and progressively focuses down, getting more purchase on the matters in contention at each step. That approach is adopted for two reasons. The first is strategic: since this analysis (following the remit of the research project commissioned from this writer by the CHE HEIAAF Task Team) is to theorise the context in which the current South African debate has developed, a broad canvas must be sketched in order to build a framework within which the controversy itself could later be examined. The second is principled: the research for this paper has been undertaken in full awareness of the fact that in South Africa, as often elsewhere, "debates and discourses about the specifics of institutional autonomy, academic freedom and public accountability is characterised by a strong tendency to invoke these as general *principles* or fundamental *norms* ..." (Du Toit 2004: 1), whereas those concepts are especially socially located and therefore demand examination within a nexus of specific historical and contemporary social, political and economic contexts.

In today's South Africa, that nexus is even more than usually pertinent to an analysis of relevant debates. Its history of colonialism and apartheid, ended by the recent negotiated transition to democracy, left a legacy not only of extraordinary complexity and diversity in conditions and traditions across a higher education sector which democracy must now bring together: it also left a diversity in understandings, expectations and aspirations across the academy. When to that we add

the corresponding legacy of complexity, diversity and extreme inequality which characterises the society which a newly unified higher education sector is now to serve – and also locate those national conditions in a globalising world – then the first premise of an analysis such as this is inescapable: *any hypostasised understanding of academic freedom, institutional autonomy or public accountability advanced in the current South African context would be clearly tendentious and certainly quite useless as a basis for an enduring compact between the higher education sector and the society it serves.* Whilst it is important not to fall into 'South African exceptionalism', since not all aspects of the country's current challenges are unique, the particular constellation of challenges faced by this society, by its education and training systems and by the institutions which stand at the apex of those systems, requires an especially nuanced framework for any analysis of the legitimate scope and appropriate limits of academic freedom, institutional autonomy and public accountability as these relate to the academy. To build that framework will require excursions in this research report into political, social and economic theory where those are necessary to ground progress in unpacking debates about the steering of higher education. A theoretical review of the recent South African debate itself can unfortunately not be included here for reasons of space. Nor can a fleshed-out contribution to that debate, developed within the contextual framework that this paper seeks to build. However, some indication of the perspective, scope and content of such a contribution should become evident from the paper's theoretical arguments and the examples used to illustrate their implications. An outline of the paper's structure and content may be helpful.

The first step will be to clear the ground by distinguishing 'state' and 'government'. Unless that key democratic distinction is made, progress in any debate on higher education's steering is hampered in two ways. Attempts to understand at what point appropriate 'steering' of the sector becomes unacceptable 'interference' risk being vitiated by over-generalisation. It also becomes more difficult to give a proper determination of the circumstances in which inevitable divergences in view between the higher education sector and government can properly be characterised as illegitimate obstruction. With that distinction clarified in an opening section, the demands and opportunities which transformation presents to higher education can be approached in section 2.

Here, the challenges of the transformation project on the two trajectories of development and equity are first recalled, as the unavoidable tensions between these run through the matters to be addressed. This starting-point tables the (competing) conception(s) of the public good informing today's South Africa and hence the complex role of the state in promoting it, through government, statutory bodies and public institutions. It will be argued that higher education is not just one of many areas relevant to the transformation project but that it has a very particular and especially important role to play. Consequently, just as conceptions of the public good are fundamental to relations among all bodies that make up the institutional state, so are they, necessarily and in specific ways, to contestation about academic freedom, institutional autonomy and public accountability in higher education. A theme of this section is that whilst growth and redistribution, as drivers of democratisation and equity, have been to the fore in recent years, there is a need to re-emphasise citizen and civil society empowerment as the third necessary component of transformation. The reason for that theme is twofold. Not only is a prioritising of empowerment claimed essential to giving formal democracy substance across society, it is also particularly

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pertinent to building a framework for reconceptualising contested understandings in the current national debate on higher education's steering.

The importance of the academy for all three legs of transformation's tripod is widely acknowledged in policy discourse. Policy practice emphasises the fact that two major factors in growth are the production of knowledge and the development of human capital, and that 'equity' requires the transformation of higher education as of other social institutions. Both considerations give power to steering's elbow. But to emphasise that empowerment is a basic prerequisite to substantive equity and democratisation in fact valorises the constitutive features of the academy, giving it a key role in negotiations over the manner and direction of steering. The degree to which empowerment is emphasised and strenuously facilitated – alongside growth and the knowledge and skill it requires – is an important factor in how the public good in a new democracy is interpreted and endorsed by action. And whatever conception of the public good underpins transformation has direct implications for all contestation about the proper functioning of the academy and its steering.

However, those implications can only be adequately teased out if attention is given to the peculiar kind of social good that higher education is, with potential to drive reform as well as respond to it. Clarifying that question is the third task of section 2. To clear further undergrowth from the debate, higher education's formal complexity in principle, as a good which delivers both public and private benefit, is outlined there as a preliminary to establishing its distinctiveness among the various social goods that might be expected to advance transformation. Also placed on the agenda are the reciprocal relations between higher education and other policy areas, noting that the latter are relevant to the optimal functioning of the academy in a transformation context and that the academy, in turn, has particular contributions to make to reform in the public sector.

Theorising then addresses policy and social practice in section 3, with a focus on the specific social benefits we might expect higher education to deliver, not just in a democracy but in a society in process of substantive democratisation. The relation of higher education to the 'growth' aspect of the public good is too well documented and less close to the heart of claims about over-steering to require very lengthy comment there. In this central part of the analysis, more attention is given to the various respects in which higher education is a social practice with great and complex potential to contribute to the equity dimension of the public good. Equity as a general goal is broken down into its stages of political and social progress on the road to substantive equality. In each of those stages in turn, the role of higher education is focused on and it is argued, with examples from current policy, that each of them has implications for how academic freedom, institutional autonomy and public accountability might usefully be reconceptualised. It is claimed that whilst an element of trade-off between those three claimed rights and duties arises in relation to some of the policy examples which are prominent at each of equity's developmental stages, in relation to others, indeed the most significant of them, public accountability examined in context supports and enriches a contextualised understanding of academic freedom – without detriment to core academic values or the freedoms which underpin them.

This paper's attempt to sketch in outline the social and political contexts of higher education

steering debates would remain inadequate under modern conditions without attention to the pressures of the market in today's world. Thus a fourth section considers the role of the market in influencing government, higher education institutions externally, and universities internally and academics individually (through 'managerialism', 'entrepreneurialism' and competition in the academy). Here the analysis comments both on the appropriate role of government in limiting various types of 'market failure' in relation to higher education, and on the appropriate role of institutions and individual academics in managing, and where appropriate exploiting, the unavoidable aspects of powerful market forces. The duties of academic institutions and individuals to preserve their core rationale in the face of those pressures, in partnership with the government of the day, are highlighted. At this point a basic framework should have been drawn to suggest mutually supporting concepts of academic freedom, institutional autonomy and public accountability which could be further developed and might secure the collaborative allegiance of the various role-players in the steering of higher education in South Africa.

Whereas the first four sections draw on political and educational theory, suggesting implications for academic freedom, institutional autonomy and public accountability, a fifth section recalls the higher education context, past and present – a discursive background against which debate evolves. Since understandings and expectations do not spring from nowhere, the practical and intellectual contexts of national discourse and debate over recent years should be part of a framework designed to take forward considerations of the academy's steering. In the context of higher education's 'modernisation', but with regard to the national frame, attention is given to aspects of the intellectual freight carried by the unequal and divided higher education sector which a democratic South Africa inherited a decade ago: to a plurality of understandings about what constitutes 'normal academic practice' and a range of expectations about future relations with government within a democratised state. Then the trajectory of higher education vision and policy since transition is referenced, to highlight a change-process ratcheting up expectations and anxieties in tandem. Finally, the local impact of the international scene is considered, since extra-national influences and pressures are again particularly complex in South Africa, where differing social constituencies and differing voices within the academy look in diverse directions for both exemplars and warnings for higher education. That glimpse of discursive context suggests that the divisions of the past bring not only their inherited challenges but also opportunities for a future in which a diversity in understandings and aspirations can fuel a transparent and rich debate on academic freedom, institutional autonomy and democratic accountability.

A brief concluding section pulls together the paper's claims concerning how those contested concepts might be developed within the contextual framework outlined. Those indicators might set the stage for further analysis, firstly of a study of the discursive (local historical and international) background to recent and ongoing debate in South Africa, and also for a detailed and considered examination of the sophisticated and nuanced debates on academic freedom, institutional autonomy and public accountability which have developed both within and beyond the academy there. It is only after full consideration of that rich debate in its discursive context that an outsider like this paper's writer would feel entitled to make a more elaborated contribution to the debate itself.

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1. Clearing the ground

Since the purpose of this paper is to give a theoretical overview of the justifiable scope and defensible limits of academic freedom, institutional autonomy and public accountability within a democratic higher education system in today's South Africa, it is first necessary to clear the ground by making brief remarks about South Africa's democratisation and about the role-players in the oversight of higher education in the new polity.

1.1 State and government distinguished

The debate to be considered here is frequently cast as a growing unease in relations between sector and state – indeed references to it, whether from the sector, from government, or from civil society and statutory bodies, often refer to it in those terms. It will be a premise of this paper that this characterisation is misplaced and misleading, frustrating attempts on both 'sides' to make headway in an incipient dispute. What is seen here as an unfortunate conflation of 'state' and 'government' is indeed a pervasive confusion in international literature and discourse on higher education. In today's South Africa, as well as being potentially damaging, it is both unsurprising and particularly hard to unpack. For here, the formal transition to democracy is both very recent and unusually scrupulously framed in legislative terms.

On the first of those points, until 1994 'state' and 'government' had indeed been indistinguishable in South Africa throughout colonialism and apartheid, as they necessarily are in any oligarchic or authoritarian state with a ruling ideology. By contrast, in long-established democracies it is careless to conflate those concepts, though not unusual, (and potentially misleading where ruling political parties have lengthy tenure in office). In recently established democracies, however, to insist on a careful distinction between 'state' and 'government' is neither semantic pedantry nor fear of hegemony: that distinction has real significance for how 'transformation' – the process of substantive democratisation – is to be understood. For the building of a democratic state is not an *event* coinciding with the election of a democratically representative government: it is a lengthy *process* in which all 'organs of state' – the judiciary, government, the civil service, the health and welfare sectors and public education at all levels – as well as those bodies and groupings which make up civil society and cultural life, play their part. That process is especially complex when the formal inauguration of democracy, as in South Africa, was not through revolution (regime overthrow), nor through 'replacement' (regime substitution) but through 'transplacement': the negotiated transfer of power from the old regime to the forces of opposition (Huntington 1991). That being so, the demise of apartheid ended the state's hegemonic power and opened the way for democracy, but left fundamental continuities across established organs of state and existing social structures which would require painstaking transformation in the years ahead. This was well understood by the future first President when in 1991 he declared: "We are determined that the people of South Africa will make their future and that they will continue to exercise their full democratic rights after liberation from apartheid. We do not want popular participation to cease at the moment when apartheid goes. We want to have the moment of liberation to open the way to ever-deepening democracy".

On that second aspect of South Africa's transition – that the inauguration of democracy here is scrupulously framed in legislative terms – brief remarks are due on the status and content of the new Constitution (RSA 1996). Whilst the supreme law of the Republic of South Africa (Malherbe 2006: 1), that Constitution is not an "overarching all-encompassing super law" (Du Plessis and Sarkin 2000) but a detailed statement of binding commitments to the people which embodies the notion of subsidiarity, whereby the constitutional framework delegates the fulfilment of those pledges to diverse organs of state and to civil society groups, enshrining "a balance of power among organs of state" (*ibid*.). Among the organs of state central to the present enquiry are the government of the day, the civil service and the public institutions of and for higher education. It is this formal status of the Constitution as supreme but embodying provisions which are declaratory rather than normative that explains why there is no contradiction between its designation of universities as organs of state (article 239) and its provisions entrenching academic freedom in the Bill of Rights (16(1)(d)) – with that entrenchment, like that of other basic rights, hedged by the caveats required by potential conflicts of rights "to be interpreted through a combined reading of constitutional provisions" (Philippe X in Du Plessis & Sarkin 2000: 87). The Constitution thus sets a framework for a South African democratic state, with the substantive nature of that state to be built (and gradually to evolve) through legislation enacted by successive democratically elected governments and through the appropriate performance of other organs of state, all parties acting co-operatively for the fulfilment of primary constitutional commitments to the people.[1]

These two points are not theoretical window-dressing: two particular implications salient to the present enquiry can be noted. The first concerns the in-principle nature of that co-operation between relevant organs of state. It is the right and duty of the government of the day to frame and enact subsidiary legislation concerning other organs of state such as higher education institutions, within the provisions of the Constitution, since that is precisely what elected governments are for. However, it would be a mistake to presume all such legislation, provided it fall within the broad but necessarily non-specific ambit of the Constitution, to have equivalent status to the Constitution itself. Co-operation between organs of state would thus imply dialogue between the higher education sector and government both during the framing of relevant legislation and after its enactment (see subsection 1.2 of this paper), though final authority lies with the government of the day on behalf of those who elected it. What co-operation does not imply is a passive or simply reactive stance to legislation on the part of the higher education sector when that legislation affects it directly, nor an absence of critique on other measures in which it can legitimately claim expertise. This is because government legislation is required, constitutionally, simply to be one of many ways of 'skinning the cat'. That has implications for when the academy may legitimately challenge government. It may not challenge or resist constitutional imperatives such as equity or representivity, but may question specific means of achieving those ends. It may also challenge legislation which does not contravene any specific constitutional provisions, but which in reflecting a sub-optimal interpretive "combined reading" of those, seems inadequately to reflect its spirit. Furthermore, since legislation is politically easier to enact than to repeal, challenge may properly be addressed, on grounds of under-specification, to any government

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legislation that is so broadly framed that, while its current intended application may be benign, it opens a legal door for later damaging interpretation in less safe hands (see Jansen 2004a).

The second implication for the terms of co-operation between relevant organs of state concerns discourse, which can colour the climate of debate for good or ill. Here it would seem that to cast debates about academic freedom, institutional autonomy and public accountability in terms of the proper nature of a 'state-sector' relationship has three adverse consequences. Firstly, it carries an aura of struggle and contestation which may over-resonate subliminally in South Africa with the – entirely appropriate – 'struggle' terms of such relations in the recent past. (Illustrations might be the consternation sometimes heard within the academy, and the authority sometimes claimed among the bureaucracy, when the constitutional designation of the academy as 'organ of state' is raised. The conflation referred to above may, for some, lend that phrase resonance with 'arm of government'.) More importantly, it muddies the waters for debate about purported external threats to academic freedom or institutional autonomy, for 'the state' is an illusory target for challenge and a nebulous entity for any defence. Challenges might be more appropriately directed at either government, bureaucracy, statutory bodies, sectoral representative bodies, the practices of higher education institutions themselves – or particular combinations of those targets. Defence is rather different: direct response must come from those challenged, but dispute of the grounds for any challenge might come from statutory bodies, sectoral bodies or the institutions and individuals of the academy. Finally, a 'state-sector' discourse underplays the positive implications both of the Constitution's designation of universities as organs of state and its requirement for a 'combined reading' of its provisions and commitments. Together, these imply that higher education has a significant part to play in its own oversight, in the service of the overarching goal of political and social transformation and with regard also to its own defining values. The implications of that key role for higher education in collaboration between organs of state will run though this analysis.

1.2 Role-players in the democratic oversight of higher education

As noted, the role of the state, *constitutionally*, is to specify the function of organs of state, to enshrine their duty to co-operate for the public good, and to safeguard their rights. (For higher education those are negative rights of immunity underpinning academic freedom, on the standard constitutional subject-to-caveat basis.) *Institutionally* therefore, the role-players of the state in the democratic oversight of higher education are threefold: government and its departmental bureaucracies; relevant statutory bodies; and the higher education sector itself – heard through various channels including stakeholder bodies, institutions and individuals. The role of each state role-player should be traced in turn in order to frame the vexed questions of academic freedom, institutional autonomy and public accountability.

The role of government should be addressed first as, unlike the framers of a Constitution who lay a groundwork for subsequent legislation which must allow room for manoeuvre under the

changing contingencies of circumstance, its legislative and executive role is substantive. This is necessarily so, since any government has a view of the society it seeks to realise through normative legislation which 'colours in' the constitutional framework. Thus government prepares legislation and prescribes non-legislative regulations which comprise both rights and duties for those organs of state which are public institutions. Government's role is therefore to ensure adequate provision of higher education, to steer development and to arrange oversight. All those functions are in principle performed with a view to what happens to be the democratically endorsed current conception of the public good (see subsection 2.2). (The role of governmental bureaucracy is that of informant and enabler in relation to policy and need not be considered separately here.) For many reasons, higher education in South Africa was inevitably ripe for legislative attention in the first decade of democratisation. As Reddy observes, "The new government was not going to ignore the pressing issue of the turbulent higher education sector, that highly visible public space where old and new elites mingled, and besides, expresses enormous political and symbolic power in the overall social order" (Reddy, CHE 2004b). Government's approach to the framing of legislation, rather than its substance, is salient here.

Prior to democratic legislation, civil society bodies and the sector itself were consulted. The National Education Policy Investigation (NEPI 1993) was followed by the National Commission on Higher Education (NCHE 1996), with part of its remit to advise on mechanisms for the oversight of the sector. The NCHE envisaged two bodies working in tandem: an advisory council for government and a higher education forum for the sector, but it was decided to constitute a single bridging body combining both functions. Hence the Council on Higher Education (CHE) was established in 1998 as an independent, expert statutory body to advise the Minister on higher education policy and its implementation, to monitor policy goals, to stimulate debate and publication on higher education questions, all those tasks in consultation with the sector and other interested parties, and to report annually to Parliament. Needless to say, statutory buffer-bodies, themselves organs of state, occupy a position which is complex by definition and can be invidious. As both 'poacher and gamekeeper', serving government by promoting the desired development of the sector whilst safeguarding the sector's core rationale within the ambit of prevailing democratic conceptions of the public good, they must necessarily make certain compromises for other gains. On process, whilst final decision on legislation and policy directive lies with government, the statutory body is the locus of direct interface between government and sector. Such bodies therefore attract suspicion in all polities where they are found, despite the fact that where they are not, the public institutions they relate to are in a weaker negotiating position. Thus the sectoral body Higher Education South Africa (HESA) can and should operate straightforwardly as expert interest group – the collective voice of the academy: were the CHE or an equivalent body not to exist, it could simply be ignored by government as representing stakeholder *vested* interests.[2]

Given the mixed feelings that statutory bodies inevitably evoke in constituencies who interface with government through them (and given the temptation for governments sometimes to

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attempt to use them as an expert extension of the bureaucracy), it is important to insist that the core question of *academic freedom* applies as much to higher education's statutory body as it does to the academy. On this issue those parties have a commonality of interest, just as sector and statutory body, under 'normal conditions', have a common interest in safeguarding the *institutional autonomy* of higher education institutions, in order to protect core academic values (but not privileges), which are constitutive of the academy's contribution to the public good. However, those 'normal conditions' did not obtain in South Africa at transition – and still do not, despite strides made towards normalisation. This has at times led to friction between statutory body and sector – friction which is a by-product of its buffer status, but one exacerbated by the pressing need for higher education transformation. In respect of *public accountability,* however, friction with the sector is inevitably, whatever the circumstance, 'in the nature of the beast', since buffer-bodies are designed in part as conduits for public accountability from a sector whose non-vested interests they also represent. It therefore serves all parties to the collaborative compact – sector, statutory body and government – to minimise friction and maximise dialogue in the interests not only of the public which they all serve through higher education but also of the core values of the academy.

The third, and key, state role-player in that compact is of course the academy itself, through its institutions, its academics individually and its stakeholder bodies. As stated, constitutionally, the academy is required to co-operate with government (now with a statutory body mediating negotiation and advising on policy after sectoral consultation) in order to optimise the national and social benefits from higher education. Co-operation, though, does not imply passive acquiescence. The academy must of course defend academic freedom and institutional autonomy whilst assuring public accountability in terms of delivering the public good through higher learning, research and community engagement. But more than that should be noted here and will be elaborated later. What must be emphasised is that the academy has a unique role within polity and society – and hence is a very particular organ of state. For unlike other organs of state which attract that designation because they are public institutions in receipt of public funds and are important to national development and social transformation – because they are public sites for the *satisfaction* of public preferences – the academy is also a key site for the *formation* of individual and public preferences and for the evolution of a public culture. This entails that the nurturing of the academy's constitutive values is at a premium in so far as they underpin or enrich its core activities. Safeguarding that premium is the ultimate responsibility of the academy, a responsibility more than simply delegated to it by government through legislation or via the mediation of a statutory body – a responsibility constitutive of the academy itself.

For each state role-player, practical implications follow, since authority is most rationally exercised at whatever level expertise and (non-vested) interest lie. Thus government, having established the CHE as statutory body, carries a duty to give its advice due deliberation and act upon it as far as possible within the constraints of other governmental imperatives and their resulting fiscal constraints. A consequent obligation is to take the CHE's mandated consultation

with the sector with full seriousness. A further obligation is to remain mindful that academic freedom is basic to the core function of a statutory body – as it is not, in contrast, to a civil service bureaucracy. Discourse also matters, as it risks giving hostages to fortune in a climate where there are latent anxieties about government 'interference' in the academy.[3] Good relations between government, bridging body and sector are maintained by both practice and discourse and are as crucial to government as they are to the academy, for any government which seeks to optimise the public benefits of the academy can only achieve that objective by full recognition that, unlike other areas of the public sector, education – and higher education the more so – is not just a potential *object of reform*, but also any society's most powerful *engine of reform*. As such, its regulation requires particular circumspection.

The statutory body in its turn is required to walk its mandated tightrope between government and sector, deferring to the interests of neither in its deliberations and pronouncements. It can only fulfil that mandate if it continues to promote good relations with the sector and to insist on its own academic freedom in all of its activities. Certain practical matters are relevant to good relations between any statutory body and its sectoral responsibility. Among these are its structure, function and staffing (Berdahl 1990). The structure of the CHE seems neither problematic nor a focus for unease from the sector; its functions also, with the possible exception of the mandate to assure quality (see endnote 30). On staffing, as an 'expert body' it would seem necessary both for optimum performance and for sectoral confidence that the expertise of the CHE's senior staff continue to be fed by involvement in academic work, by calling on the academy as an expert resource and ideally by the movement of academic-related personnel between body and sector. Finally, it would be the role of a statutory body whose eight mandated values declare three as "academic freedom", "institutional autonomy" and "public accountability" to be particularly alert to the concerns of the academy on those questions and to encourage government to engage with them, as in the current CHE HEIAAF Task Team investigation. As the former Minister observed last year, being a body which "vigorously protects its intellectual and organisational autonomy", the CHE should be well placed to play a central part in consensus building "with respect to the contemporary debates on academic freedom and institutional autonomy" (Asmal 2005).

Practical implications for the academy itself will not be further elaborated here since they run through the rest of the paper. Having noted higher education's formal duty to co-operate with other organs of state in pursuit of national development and social transformation, later sections will address its contribution to the public good (section 2) in terms of its social benefits (section 3), its response to an open environment (section 4) and the proper defence and valorisation of its constitutive functions – throughout emphasising its active role as agent of change rather than as passive object of change.

Subsection 1.1 claimed that casting the current 'steering' debate in terms of a 'state-sector' relationship is inaccurate and unproductive. Subsection 1.2 implies that it would not be helpful simply to substitute talk of a 'government-sector' relationship, since arrangements for the

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oversight of higher education in the new South African polity are more sophisticated than that. This paper will therefore attempt to avoid both castings in order to escape adversarial overtones in building a theoretical framework within which proper relations between all constituencies with legitimate interest in the affairs of the academy might be considered. It is within that nexus that questions of academic freedom, institutional autonomy and public accountability have recently come to the fore.

2. Higher education and the public good in political and social context

The particular social role of higher education as an engine of reform has been flagged. This feature ensures that it is kept under careful review by all governments as a potential object of reform both to fine-tune it in response to the changing demands and constraints of circumstance and also to align its provision and regulation with evolving conceptions of the public good. The special need for attention to its reform in the particular circumstances of South Africa's transition to democracy has been noted and will be returned to. This second section of the paper will focus on higher education's active role in advancing the public good in the context of South Africa's transformation project.

2.1 Democracy, higher education and the public good

Any democratic state's relation to the public good is primarily procedural, consisting in respecting basic citizen rights and fairly balancing interests where those conflict. South Africa's democratic settlement as framed in the Constitution puts some flesh on those bones in terms of commitments to citizens to leave behind the inequalities and discriminatory practices of the past. But how rights are to be actualised and pledges fulfilled is necessarily left to successive representative governments. Government is thus intended as the facilitator of the public good though not its fount: that consists in the democratically negotiated social goals of its citizens, developed and modified in civil society and endorsed through the ballot box to be then realised by a representative government through provisions made for public institutions, civil society and individuals. Once elected, democratic governments may well change course on the means chosen for realising agreed social goals (see subsection 2.2) and so are vulnerable to challenge when citizens fail to endorse those means, when government adopts non-endorsed goals or when the goals of citizens themselves change.

As ever, those theoretical points have practical implication. It has also been flagged that the academy is a prime site for the formation of citizen aspirations as well as for their satisfaction. Higher education is thus an engine of evolving conceptions of the public good as well as one important means turned to by government for advancing any prevailing conception. (It is worth noting that, since conceptions of the public good are particular to time and place, 'international' debates about what kinds of policies for higher education will best promote some abstract notion of 'the public good' are certainly pointless and often damaging.[4]) So indeed are debates on academic freedom, institutional autonomy and public accountability which are either borrowed from other times and places or conducted at the level of the abstract. The particular character of higher education's dual importance to the public good entails that any attempt to revisit the appropriate parameters of those academic rights and duties in the new South Africa must be firmly grounded in that polity's political project and social conditions.

Before any contextualised vision of the public good is addressed, however, one further point should be flagged for later elaboration. That is higher teaching and learning's inbuilt tendency,

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standing as it does at the apex of any education system and conferring personal advantage on its beneficiaries, to fuel meritocratic individualism – a value globally dominant at present but quite antithetic to South Africa's project of social transformation. Given, then, that one inbuilt tendency of higher education sits ill with that broad vision of the public good which is constitutionally framed and publicly supported in South Africa, there can be no objection in *principle* to legislation and regulation which seeks to steer the academy in order to valorise its more inclusive characteristics and more public benefits. To challenge the principle of such steering would be either to reject the transformation agenda or to suppose that the apex of a society's education system is irrelevant to the direction of its social evolution. The *practice* of steering, on the other hand, is always open to challenge, on diverse grounds. Indeed it could be argued that *one of the duties associated with the right of academic freedom would be critique of forms of steering which failed to respect the spirit of constitutional pledges to the people* as well as those which harm the academy's defining role. Considerations of the public good, therefore, serve to remind us that debates on academic freedom, institutional autonomy and public accountability should neither be conducted at the level of the abstract nor at too high a level of generality.

2.2 Transformation and (competing) conceptions of the public good

To avoid abstraction, it is useful to refer to the actual social conditions inherited by democracy in South Africa and the evolving governmental approaches to progressing that broad vision of the public good which seeks an end to them. Internationally, despite resistance in some quarters, the climate of public opinion has become increasingly unsympathetic to 'ivory tower' conceptions of the academy, even under favourable conditions (see section 4). Where at transition the providing nation was ranked 92 globally in terms of human resource development, with half the population living below the poverty line and one-sixth entirely destitute (Meredith 1997), that should be an uncontroversial position. Accordingly, defences of the rights and freedoms of the academy must (and can, as this framework will argue) be rooted in claims to the public interest – and that without any diminution of quality in the academy's constitutive activities or practices.

To avoid generality, it is pertinent to note shifts in governmental steering of the transformation project since that has implications for the steering of higher education and hence for the parameters of rights and duties within the academy. There is no need to rehearse the incoming ANC coalition's move from the socially radical Reconstruction and Development Programme (RDP 1994), focused on pressing social problems, to the fiscally conservative approach of Growth, Employment and Redistribution (GEAR 1996) which prioritised improving the country's macroeconomics and normalising its global economic position, in the belief that only when the fiscus had been strengthened could the objectives of the RDP be realised. It is worth noting, however, that a corrective second shift relevant to this paper's concerns may be in prospect. Political assessments of the first decade of democracy seem to indicate a government willingness

since 2004 to begin to relax the self-imposed structural adjustment approach of GEAR (Daniel, Southall & Lutchman 2006: Introduction) in the light of findings such as a widening of inequalities across society as a whole and a 25% increase in the numbers of those living on less than US $1 a day (as shown in a 2003 UNDP survey). That second shift was seen in the ANC 2004 electoral manifesto and in the President's 2004 opening address to Parliament.

It is too soon to judge this as a turn towards a thoroughly developmentalist social democratic approach, as one of the indicators of that would be the priorities set in approaches to steering the academy. This corollary follows from the point already stressed that higher education plays an inevitable part in both influencing and facilitating movements in the public good agenda. For the building of a developmentalist social settlement (indeed of any form of institutional state) is founded on more than the actions of government: it is built, as the constitution envisaged, by the several activities of a range of organs of state. A premise of this paper, with strong consequences for its argument, is that the academy is of particular importance in that process.

For the avoidance of doubt it must be stressed that the force of points made above is not to suggest that higher education should either be a mere servant of government policy or a passive respondent to public mood: higher learning does not teach *what to think* but rather *how to think*. A consequence of that has seen universities in authoritarian regimes become powerful sites of radical thought and political struggle, as South American experience showed through the 1960s to '80s. But in authoritarian regimes that is not necessarily the case: indeed the particular South African experience saw the academy under apartheid to be both a site of opposition to racial oligarchy and a means for reproducing its structures and entrenching its privileges. Again there are practical implications for academic freedom, for institutional autonomy and for public accountability. The salient questions become those of substance not procedure. *It cannot be simply a matter of how much of those two immunities and that duty should belong to the academy: it is rather a question of how those rights should be exercised and that duty fulfilled.* And to answer such questions becomes more complex under democracy than it might be in an authoritarian state.

For 'co-operating with government', when that government is in principle the democratic servant of the people, is a matter of far more than facilitating the currently chosen social and political trajectory. Of course higher education is important in producing skilled personnel for national economic development, for example – that is necessarily one of its functions, since that addresses the *means of development* (see subsection 3.1). But its over-riding public service function lies closer to the heart of its constitutive and peculiar role. In producing and disseminating a growing reservoir of knowledge; in developing the cognitive, critical skills of its students; and in instantiating open debate among equals in its ethos and practice – indeed in the very exercise of its freedom and autonomy – it opens the way for a democratic institutional state progressively to evolve according to the considered judgments of the majority of its people.[5]

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Higher teaching and learning thus addresses *the direction of development* and does that non-prescriptively (see section 3.2). Whilst that contribution to the evolution of polity and society is indirect, since many of the aspirations of the people are formally delegated to government for their fulfilment, it is nonetheless fundamental. Destinations and directions of travel must be chosen by the public before roads can be designed and built by their representatives. (That this democratic outcome presupposes fair access opportunities for all citizens irrespective of class, 'race' or gender need hardly be said. But a corollary of that can be noted: unless higher education institutions are *enabled* to progress 'representivity' within the academy, this key aspect of their social role, in which academic freedom and institutional autonomy are again at a premium, will be undermined. And in that case, the grounds for claiming those as immunities would become popularly vulnerable.)

At all events, whether RDP, GEAR or some modified 'third way' trajectory is chosen by the government of the day as the road to transformation, both growth and redistribution – though with differences in priority and emphasis – will be to the fore as drivers of democratisation and equity, for South Africa's foreseeable future. Those latter two terms are standardly coupled with 'empowerment'. If that third goal is to mean not just the economic upliftment of a better-placed minority of the formerly oppressed but also to refer to widespread citizen, community and civil society *empowerment*, then the role of the academy and the manner in which its rights and duties are exercised are crucial. Nowhere have growth and redistribution proved to be natural twins – and certainly not within the urgent time-scale which is both morally and politically imperative in South Africa today. The more unequal are the starting positions of citizens across society in terms of social/cultural capital and economic resources, the less easily they sit together. They can only be jointly realised, driving democratisation substantively, if there is also strong political will for empowerment, with that political impetus coming not merely from the top down but more importantly from the bottom up. Education and higher education in particular are potentially key sources of the cognitive skills, the knowledge and the socio-cultural confidence which are prerequisite both to individual and community empowerment and to a public culture of democratic engagement and critique. If empowerment comes to the top of the social agenda, then *the questions of academic freedom and institutional autonomy become both more sensitive and more pressing as they can then be seen not as hedged or constrained by 'public' accountability but as firmly grounded in democratic accountability.*

2.3 Higher education as a social good: the context of substantive democratisation

In the most comprehensive overview to date of South African higher education after one decade of transformation, it is acknowledged that as well as being a social good, delivering benefits to society, higher education is also a private good which brings individuals "better employment possibilities, better salaries and benefits, improved working conditions, improved health and quality of life, and a greater capacity to participate in a society endeavouring to build a democratic and just social order" (CHE 2004h: section 1.1.1). All of those claims are true. However, although straightforward blessings to their individual recipients, those private benefits,

if not carefully mediated, can become 'mixed blessings' for a society in process of substantive democratisation. Whilst the advantages accruing from higher education to individuals also contribute to society (through GNP, taxation, etc.), it cannot also be assumed that those same individuals will put their gains to the service of building a more inclusive social world (in which the competitive advantage conferred by their credentials is progressively eroded). They might do so, they might not.

For we cannot escape the fact that higher education is the most complex of all social goods. First, it has twin beneficiaries: the general public who potentially gain in diverse ways, and also those particular citizens who, as participants, additionally gain private advantage within the benefiting society. This is because, as well as being public *and* private, the 'goods' higher education dispenses have both intrinsic and exchange value, with the latter being 'positional' (i.e. value relative to its scarcity, since 'privilege' by definition depends on lack of it in others). Moreover, those private gains are "dominant goods" (Walzer 1981), giving individuals who possess them better access to further, cumulative, benefit. These complex theoretical points will not be elaborated (see Jonathan 2001a) but must be flagged here as they have profound implications both for the appropriate steering of higher education in a deeply unequal society committed to transformation and for the conduct of the academy there in respect of academic freedom, institutional autonomy and public accountability.

Those implications flow from the conundrum that whilst the social good aspect of higher education can be put to the service of substantive democratisation by the actions of government and academy, provided only the will is there, its private good aspect, in so far as it tends to reproduce privilege, even if that is no longer racially aligned, tends to work against that trajectory. That it must do so to some degree is a matter of logic: how much it does so is amenable to mitigating action. The differing roles of government and academy in maximising higher education's social good whilst minimising the tendency of its private benefit to hinder or even trump social benefit should be briefly sketched.

That private/public benefit conundrum has been addressed (if not fully understood) in the affluent world over the past half century by widening access and making competition for it somewhat fairer. The result of such a process can at best be simply a fairer meritocracy, with any gains for social equity coming from concomitant structural social change. The outcome of that process in many such societies is that higher education has come to be seen by government, public and often the academy itself as a consumer good, best steered by the market (see section 4) in a social ethos of meritocratic individualism (Jonathan 1990). For South Africa, a fairer and deracialised meritocracy would of course be a great improvement on the transmission of oligarchic privilege. But it would not begin to address the gap between rich and poor in one of the world's most unequal societies with a Gini coefficient estimated to be between 0.58 and 0.68 (Roberts 2005: 479). The upshot of this is that measures to ensure progressively fairer competition in admissions to higher education are merely the least that government can do in its steering, treating the academy as an *object of reform*. That necessary but far from sufficient

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condition for enabling higher education to fuel substantive democratisation implies correlative responses from the academy. Firstly, there would be no legitimate in *principle* resistance, say on grounds of institutional autonomy, to short-term external 'interference' in university admissions requirements (with an agreed 'sunset clause') when proportions of prospective students with 'matric exemption' correlate so closely with apartheid's social structural legacy, provided always that consequent increases in institutional operating cost were realistically funded. But academic freedom and institutional autonomy might well be deployed to issue cautions and caveats *in practice*.

Here as always it falls to the academy to insist on its special role as *engine of reform*: to go too far, too fast or too parsimoniously down that road cannot be allowed to put at risk the social gains which higher education can only deliver if its core activities and its standards are not compromised. (Policy rhetoric which simply posits the aim of equitable access without compromising quality is empty unless funds and personnel can be made available to square that circle.) On this same issue there are also implications for academic freedom, since equalising competition for student *access* still leaves some handicapped in *progress* if faculties, in their curricula and research, understand as 'the best that has been thought and said' only that which ignores the cultural capital of socially disadvantaged students. But to address that must not, and need not, entail compromise on quality, for if academics lower their expectations of disadvantaged students and relax standards in assessment (perhaps in part for the sake of funding following completion rates) those same students become hampered in their *cognitive progress*, which after all is the point of the whole exercise.

However, when fair competition for social advancement is merely a necessary condition for a fairer society, to secure it is just a beginning in the task of harnessing higher education – and its values of freedom and autonomy – to substantive democratisation. The implications of that broader aim, for both government and academy, are far-reaching indeed. For government, they extend way beyond the steering of higher education, since to suppose that the enlightenment of the few will bring the upliftment of the many in its wake is a still-pervasive but increasingly discredited act of faith in human nature and inexorable social progress (rooted in 19th-century liberalism), an optimism amply controverted by events (see Jonathan 1997). Furthermore, to expect education at whatever level to bring indirectly – and slowly – the gains for the disadvantaged that only structural social change can deliver commits another classic liberal mistake (Jonathan 2001b). To stress that is in no way to denigrate the real progressive power of education. It is rather to insist that education's social power is dependent on structural change across the spectrum of policy: hence to reap the social benefits of higher education there are implications across that spectrum. These begin with macroeconomic policy, as those old beliefs in education-led democratisation rely in large part on 'trickle-down' theories of economics – which seem even more than usually suspect when legitimate demands are for urgent redress of historical disadvantage. Then there are implications for all areas to do with employment, housing, health and welfare, since the structural conditions of society powerfully affect schooling performance across the population, even when all is well in schooling itself. To compound all that, schooling remains manifestly far from well, despite a decade of (sometimes

patchy) improvements in the system (Chisholm 2003 and 2005).

Whatever the area, effective progress towards transformation demands more than political will and informed government decision. It also requires effective subordinate decision and efficient action on the part of a civil service bureaucracy. Due to the legacy of apartheid, the terms of 'transplacement' in the negotiated transition to formal democracy, and the perfectly reasonable popular political impetus for a rapid move towards greater representivity, that bureaucracy is generally recognised to exhibit a number of unfortunate features and to be functioning less than optimally. To address that problem is very obviously of public benefit.[6] Universities have an obvious contribution to make here as does government in making that possible through university funding coupled with structures and incentives across the bureaucracy. Finally, in the particular area of schooling, it is widely acknowledged that higher education has a special role in its designated tasks of teacher education and upgrading as well as in related research (see section 3).

Clearly, a significant role of the academy in co-operating with government, and a prime site for the necessary exercise of its academic freedom, is as source of relevant expertise and fearless critique across all areas of policy relevant to transformation. In some policy areas, such as the staffing of the civil service at national and provincial levels and the improvement of schooling through teacher education, it also includes course design and provision, where academic freedoms are again at a premium. Co-operation is again not a passive role: proactivity in related research priorities and course provision/design might be seen as part of those duties and responsibilities which lend legitimacy to both institutional autonomy and academic freedom. That same proactive stance is at the greatest premium, of course, in policy formulation via statutory bodies and in articulate resistance to steering where resistance is appropriate (see subsection 1.1) For there is more to the academic duty of 'speaking truth to power' than reactive critique.[7] The academy's role in transformation, though, extends far beyond even expertise, critique and proactivity. The content and style of its teaching, the ethos of the institution, the collegiality fostered among and between staff and students – all those matters, internal to institutions, strongly influence the degree to which its graduates are disposed to make professional, social and political choices which affect the success of South Africa's process of substantive democratisation. It becomes clear that *the responsible and proactive exercise of both academic freedom and institutional autonomy are, with regard to many matters, nothing less than part of higher education's public accountability.*

To underline all of the points made here it should be stressed that no ivory tower can be a fitting home for public intellectuals. And that is what individual academics are, necessarily, whether they work in areas obviously related to the public good or not. This has nothing to do with the level to which they are publicly funded: it follows from the fact that the activities of teaching and publication are very public activities, influencing individual, social, political and public understanding. As Said put it, "There is no such thing as a private intellectual, since the moment you put down words and then publish them you have entered the public world" (Said 1994: 12). That designation has never been very fashionable in the anglophone academic world and

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it is sometimes currently resisted for fear of confusion today with media pundits and gurus of various kinds. That confusion need not arise, provided only that academics as public intellectuals speak and write as such only in their area of central expertise. This has implications both for the affairs of the academy and for issues arising across polity and society. Academic freedom is best insured against erosion by its exercise within defensible bounds.

Thus in relation to the academy, the views of an experienced academic should be taken with the greatest seriousness on questions, for example, of appropriate curriculum and standards at all levels within their field. However, that same academic is unlikely to be expert (except in individual cases) in, for example, the number of students nationally that it makes sense to educate to the highest level at largely public expense in his/her particular field. The rights, duties and loyalties of academics spring from their intellectual commitment to their own discipline and their personal commitment to the cognitive progress of their own students. But their loyalties properly extend from there to collaboration with colleagues within their own institution, who have similar commitments, rights and duties, and from there to the academy as a whole. All these commitments and duties imply that academics have a *right to speak* on all of those matters. However, they have a *right to expect to prevail in argument* only in reference to their central expertise. On wider questions, where interests conflict across the academy as a whole and between the academy and other organs of state arguing also from the public interest, it cannot be a matter of simple deference to extended expertise but rather one of rational negotiation. When the social context is one of urgent and radical transformation, that state of affairs has the firmest grounding.

Much the same applies to the voice of academics in relation to issues arising across polity and society. In areas relating to their central academic expertise, not only do they have a right and a even a duty to speak (Shils 1990); they also have a reasonable expectation to be heard with respect, for to neglect an expert resource would be a failure of public duty on the part, for example, of government. That expectation is most likely to be fulfilled, however, if academics always bear in mind that in matters beyond their particular expertise their views carry only the same weight as those of other citizens. The central matter, however, on which the academy collectively has a duty to speak forcefully, both to the polity as a whole through its representative body HESA and to government via its statutory body the CHE, is the steering of the academy itself – especially in so far as that steering has implications, not for the *rights* of academics but for the *constitutive values* on which the enterprise of higher learning depends. Most important of all, as this section has emphasised, it is the clear duty of the academy to deploy its academic freedom in formulating and articulating what it conspicuously and distinctively *can deliver* to facilitate and speed transformation and also what it *cannot alone deliver*, and why.

3. The social benefits of higher education in the transformation context

This framework for a re-examination of academic freedom, institutional autonomy and public accountability now turns to those social benefits that higher education can bring to South Africa's transformation. All of those benefits can be seen to have implications for the rights and duties constitutive of the academy. The task of underpinning national development through growth will be treated only briefly, though even in that task matters are more complex than often seems apparent. Social development through advances in equity will then be addressed, and there further complexity comes into the picture. When empowerment – without which democracy has little substance for the mass of the population – is brought in, then the proper scope and limits of academic freedom, institutional autonomy and public accountability become very complex indeed. For in that last respect – the most fundamental but often least emphasised leg of transformation's tripod – the academy, its values and practices really come into their own.

3.1 Higher education and the 'growth' trajectory: economic development

It is a given that higher education has a vital part to play in making up for South Africa's economic 'lost time' caused by the apartheid exclusion of 80% of its human talent from appropriate economic activity and the associated isolation of the country through the choices of many nations, individuals and businesses reacting against a pariah state. It has been a pressing public concern that stagnation has resulted in a knowledge and skills base wholly inadequate to even a middle-income modern economy. This is evident in industry and commerce as much as in the limited capacity of the public service, hence studies of the need for "a multi-layered economic growth, employment and skills formation strategy that will simultaneously build upon the country's low-, intermediate- and high-skills bases" (Kraak 2003), a need now being addressed in part through the measures proposed in the Accelerated Shared Growth Initiative for South Africa/Joint Initiative for Priority Skills Acquisition (AsgiSA/JIPSA) initiatives. Not only is higher education's significant role in the production of relevant knowledge (through research) and the dissemination of knowledge and skill (through teaching) a given, so too is government's role in steering the academy's contribution, if policy is to be effectively 'joined-up'.

There are cautions to be brought in nonetheless, for transformation would not be best served by considering higher education as primarily in the service of manpower-planning. The reasons for that could be listed. The first is the truism that the future cannot be predicted, perhaps most obviously regarding the directions that the development of knowledge and technology will take. Thus even within the natural sciences, physical and biological, in technology studies and in business administration, there could be no sound rationale for steering teaching in line with too tight a specification of relevance. There would be even less justification for so prioritising research, as most of the innovations making today's world what it is have taken even their originators by surprise. On both those questions the expertise which underpins claims to academic freedom – and institutional autonomy to the extent that it supports that freedom – should be considered a national resource, with associated rights accorded respect in the national interest.

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However, the notion of what should be prioritised as relevant to national growth through economic development in the circumstances of transformation would fill a volume of its own. Of course there is no question that technical answers to immediate problems should be urgently sought, whether in scientific, technical and commercial R&D, in the management of the public sector, in the health problems – notably HIV/AIDS – that hold back development, or in the schooling and adult education service which feeds all of the economic system. And there is no question that evident gaps in manpower must be filled. But there are a host of questions, themselves areas for research, regarding just which of the many areas of teaching and research should be prioritised in higher education when transformation makes unusual demands on the fiscus and funds are finite. That is because it would be short-sighted to address national development though growth as principally a matter of what is often too narrowly referred to as 'economic activity'. Those kinds of overarching questions, which no single department of government or bureaucracy is equipped to address, demand precisely the kind of expert, interdisciplinary attention that universities can provide: they can only do so if given the intellectual space which academic freedom and institutional autonomy serve to protect. Not for the first or last time, it can be seen that *public accountability is not inimical to freedom and autonomy in the academy, quite the reverse: properly understood, it requires them, as presumptive principles which are constrained only for sound reason in the name of a greater public benefit.*

Only two among the many further questions pertinent to academic freedom, institutional autonomy and public accountability will be mentioned here, for reasons of space. One is principled, the other is strategic. The first matter does not rely simply on *precautionary* principles; it is epistemological, with *ethical* implications. It stems from the important point that whilst knowledge and skill are from one aspect basic ingredients in any nation's economic development, from another they are properties of persons – not in the narrow sense that they belong to them but in the broader sense that they constitute them. What we know and can do in the world, together with what we believe about it and what we aspire to, makes us the people we are. And whilst the first duty of government may well be to ensure a stable, growing economy (as GEAR implies), the first duty of the academy is to educate persons. That makes passing on knowledge and skill, together with the commitment to develop it and use it to the full, more than a technical exercise. The intellectual range and humanistic manner of teaching, coupled with the collegiality of academic institutions, are basic ingredients in the education of students. Academic freedom and institutional autonomy, appropriately deployed, should be considered means to that educative purpose, whether by those within the academy or those beyond it.

A related but strategic observation stems from points made in section 2 concerning the private benefits that participating individuals gain from higher learning, together with the corollary that they may or may not choose to put those advantages to the service of the population as a whole. Whether that public contribution is directly to 'the economy' through wealth creation in private-sector business and commerce, or indirectly in the realms of politics or the public sector, there are constant choices to be made between personal advancement and social benefit. It was noted that one among several of the influences on such choices is the impact on students of their academic

experience. If the presumptive academic principles of freedom and autonomy are properly exercised, then the conditions created in universities by academic freedom and collegiality should be apt to foster a commitment to economic activity as *work* rather than *labour for reward*. Conversely, abuses of academic freedom which confuse that with protectionist privilege might be expected to have just the opposite effect. A disposition to place the intrinsic value of employment before its exchange value is clearly beneficial to the economic health of any country. It is at an even greater premium when levels of inequality ensure that the rewards of personal advantage are disproportionate, making self-advancement the more tempting, and so exacerbating pre-existing levels of inequality. Any such trend risks putting the 'growth' goal of transformation at odds with the twin trajectory of 'equity'.

Whilst most of the brief remarks here could apply to higher education in any contemporary economy, others could be flagged which are particularly pertinent to a developmentalist state. Many of these were made in South Africa in the dark days of apartheid, such as what types of economic activity are most apt to speed the upliftment of the general population and the most disadvantaged, and what duties fall on graduates to publicly repay their acquired personal privilege (Budlender 1978). Claims about those duties have been made in many grossly unequal societies, as in Vivekananda's judgement that "I consider every man a traitor who, having obtained a bachelor's degree at the cost of 150 peasants' earnings, fails to discharge his debt to them", or Nyerere's broader observation that "Knowledge which remains isolated from the people, or which is used by a few to exploit others, is therefore a betrayal" (Nyerere 1973: 195). A speaker at an Association of African Universities workshop in Accra over thirty years ago extended that social responsibility perspective to institutions themselves, declaring that "Even in its role of providing intellectual leadership, the university must see itself as the servant, not the master, of the people" (Yesufu 1973: 43).

Lest such sentiments be regarded as anachronistic in the days of competitive global markets, it is worth noting that in democracies where all have a more-or-less informed voice, popular realisation – and resentment – that whilst all do benefit from the higher education of only some, those some in fact benefit twice over, has led to a fall-off in grass-roots support for higher education's public funding. That has been one political factor among a range of societal changes driving a commodification of knowledge and a quasi-marketisation of the academy (see section 4) – developments which champions of academic freedom and institutional autonomy are the first to regard as damaging. All debateable moral and political judgements aside then, it becomes clearly in the strategic interests of the academy in South Africa to obviate any loss of popular confidence in an adequate social pay-off from public investment in higher education – a trend which has had political wind behind it internationally for some time. Consequently, strategic interest alone would justify putting the academy's shoulder behind transformation, in the hope that its graduates might thereby be disposed to follow that example. So, indeed, would the academy's commitment to the intrinsic value of the pursuit of knowledge – the grounding for academic freedom as a right – since social trends towards competitive self-interest devalue that commitment, thus reducing still further its public support.

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If the themes running through this framework seem collectively persuasive, then for the academy to wholeheartedly join forces with other organs of state in propelling transformation forward might be seen to have not only moral, epistemological and educational justification but also strategic advantage to the academy itself. Correspondingly, *it would be mistaken, on the part of any of the custodians of higher education's purposes, to regard that joining of forces either as a threat to freedom and autonomy in the academy or as a rationale for riding roughshod over those presumptive principles.* But to claim that such a case has been framed even in outline at this point would be premature.

3.2 Higher education and the 'equity' trajectory

It is no accident that considerations of the academy's part in serving economic growth constantly raise equity questions, to which this paper now turns. 'Equity' itself is an umbrella term, masking a host of complex moral considerations and hard political choices. Brief attention to conceptual clarity may assist consideration of 'equity''s stages along the transformation road and the salience of each for the analytical framework put forward in this paper.

3.2.1 The socio-political goals covered by 'equity'

This paper is not the place fully to map distinctions between formal equity, equality of opportunity and social equality. Still less is it the place to trace properly their implications for either higher education policy or the practices of the academy.[8] South Africa's Constitution clearly prescribes more than formal equity – the removal of political and legal and hindrances to equal participation in polity and society for all adult citizens. It requires at least formal 'equality of opportunity' – the removal of structural hindrances to full citizen participation, as far as those hindrances derive from the actions of the institutional state. It also requires that more substance be given, progressively and over the shortest period that can be achieved, to that formal equality of opportunity. But it does not, however, in its status as framework for substantive legislation, prescribe a particular position along the broad spectrum of social development between enabling 'equality of opportunity' (which remains a matter of degree and debate the world over) and the achievement of any specific level of 'social equality'. It could not do so, as any such position requires both current democratic political will and sufficiently amenable circumstance.[9]

One last distinction may also come in useful. Formal equity is merely the starter gun for the mass historical marathon towards the popular goal of social equality – a dogged progress whose speed at any time is democratically determined and whose direction (as some affluent societies have seen in recent decades) can for a period go into reverse. Formal equality of opportunity is simply the rules required for any social race to be run. 'Real' equality of opportunity – a continuing matter of dispute – is that level of fairness for the runners which makes social participation more than the legitimation of existing privilege. But to regard even 'real' equality of opportunity, at whatever levels have currently been achieved in particular societies, as an

end-point is a conservative position (even that challenged now by 'neo-liberalism' on both economic and moral grounds). If conservatism as well as neo-liberalism is rejected, then a progressively more inclusive understanding of what is to count as real equality of opportunity becomes simply a means to an end. The goal itself is that level of social equality which respects the assumption that all lives are of equal worth and all have a contribution to make to a properly ordered society.[10]

Even the goal of providing for formal equality of opportunity across society (modest under 'normal' democratic modern conditions) presented a Herculean task for South Africa at the demise of a regime which had prescribed the total absence of equity and hence had made even formal equality of opportunity only an aspiration for the future. Still today, despite a decade of initiatives to realise that aspiration, inherited inequalities in schooling provision, a persisting patchiness in basic services and very variable access to health care remain as barriers to even formal equality of opportunity. The additional task of giving real substance to that formal procedure in a polity with South Africa's inherited conditions presents an even broader challenge. Structural socio-economic inequalities of a degree unparalleled in few other societies and consequent vast disparities in material, social and cultural capital make any level of substantive equality of opportunity – an even somewhat-equal competition for opportunity across all of the population – still a distant prize for the nation. (It is uncontroversial that some level of social competition is inseparable from 'equality of opportunity'. What is at stake is rather how much the rules of competition are in reality the same for all and how great are the disparities between players in reward for talent and effort.)

Continuing to redress a situation of 'rigged-competition' is clearly not only a moral requirement in the equal treatment of all citizens: it is also an economic imperative for the polity, given that lost opportunities for individuals represent a large-scale waste of talent and resources for society. With political will and social action still engaged in the job of putting some flesh on the bones of equality of opportunity, how far down that road the nation will travel towards the more expansive goal of 'social equality" – always a matter of degree and debate – is too early to know. What can be claimed is that higher education's purposes are every bit as pertinent to even the current task of achieving a fairer playing-field for citizens to seek opportunity – and hence over time for that to spread across the population – as they are to fuelling economic growth. This remains so, despite the fact that neither they, nor the collective purposes of education at all levels, are a panacea for social inequality – for what is often loosely termed 'inequity'.

That preamble is necessary here as its distinctions assist clearer debate on all 'equity' questions. It is therefore not surprising that they help to clarify debates concerning academic freedom, institutional autonomy and public accountability in the academy. It is worth outlining in turn what is implied for the academy and its rights and duties by each political concept of those distinguished here: formal equity, formal equality of opportunity and substantive equality of opportunity. ('Social equality' as such will not be commented on as that concept functions as a rallying cry to exhort effort through the stages from formal equity, to formal equality of

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opportunity, to the building and deepening of substantive equality of opportunity.) Those last two of course cannot always be neatly separated in practice, a difficulty compounded by their constant blurring in debate.

3.2.2 Formal equity and formal equality of opportunity: their implications for this debate

Although in policy discourse 'equity' is often employed as a general term to cover all of the social conditions disaggregated here for the sake of precision, that over-general usage does not advance analysis. Formal equity in the precise sense, however, should simply be tabled here because of its crucial importance as the constitutional prerequisite to any just society. But it needs no further comment for this paper's purposes, since securing it is the business of the constitutional, not the institutional, state. Formal equality of opportunity would also require little comment in relation to the academy where conditions of substantive democracy had already been achieved. But it requires attention in the present context, for the reason that South Africa is still engaged in the process of substantive democratisation. Some of the relevant matters were tabled in section 1 when the constitutional requirement that all organs of the institutional state co-operate to fulfil the Constitution's pledges to the people was addressed.

It was noted there that matters of a requirement for an end to privileged access to the academy for only some had received strong support within higher education. But questions of possible threats to institutional autonomy had entered the picture if 'representivity' for different population groups across the student body – a goal widely endorsed – was too quickly taken to be a simple yardstick for measuring fairness of access (on the grounds that structural and schooling inequalities made full representivity in the short term sit easily with quality and standards only at the level of rhetoric). In that regard it was suggested that quality concerns could justifiably support a degree of institutional autonomy over admission standards, always provided that all efforts were made steadily to increase representivity as far as was in the institution's power, not on the grounds of any rights of the academy – still less its traditions – but on the grounds of adequately serving students and maintaining the academy's indirect benefit to the people. It was noted in addition that mere formal equality of opportunity for access, measured by representivity, would be hollow without due attention to the proper progress of all students admitted. Whilst that implied duties of funding on government, it implied fiduciary duties on the academy which some might unjustifiably claim to be constraints on the scope of academic freedoms to prioritise time and focus.

A matter not addressed in section 1 was access not just to the institution but also to chosen areas of study. There is general agreement that one legacy of apartheid was the curious disparity of provision within the sector, with a preponderance of certificate and diploma courses and of undergraduate courses in education, para-medical studies and social science in the historically-disadvantaged institutions. A broad curricular range, full postgraduate provision and a critical mass of active research was largely confined to the historically advantaged institutions. Even though a structural modification of the system has now collapsed those categories through the

change process demanded in the *Programme for the Transformation of Higher Education* (DoE 1997), legislated in the *Higher Education Act* 101 (RSA 1997), there still remains, by international standards, a much greater extent of provision in the arts and social sciences than in the natural sciences and engineering in institutions traditionally labelled universities. How soon that system-imbalance will be redressed through reforms to the provision of technical and technological higher education within the new universities of technology and comprehensive institutions is still to be seen: the point for present debates is that it still exists.

Unfortunately, higher education's regulators have flagged for attention that mismatch between provision across the national system and 'international norms' for higher study in different fields primarily in the name of better serving the needs of a modern economy in a global world. On those grounds, there has been some resistance, justified up to a point, to a re-engineering of provision, with many in the arts and social sciences in particular urging that to regard the academy as primarily instrumental to present economic conditions over-rides both academic freedom and institutional autonomy. It is perhaps a pity that another aspect of that systemically skewed provision has been less emphasised by governmental role-players in the steering of higher education. That aspect has relevance for formal equality of opportunity of access not just to institutions but to chosen fields of study. In that respect, schooling inequalities in standards of teaching in mathematics and the sciences, combined with those disparities in personal aspiration which accompany structural inequality, ensure that a disproportion of socially disadvantaged students are found in faculties of arts, humanities and social science (Cooper & Subotzky 2001; CHE 2004h). There is a limit to what higher education institutions can do to redress this directly within the academy, as it is standardly claimed more difficult to 'make up lost time' in areas where disadvantaged students are under-represented. However, universities are now charged with the education of school teachers for those areas – and it could be argued that lower entry standards are required for prospective teachers of science at school level than for prospective practicing scientists, of whom a nation needs fewer.

Also implicated in that skewed provision are questions of how many students a nation can afford to educate to particular levels in given disciplinary areas. Without making any judgements about that in particular contexts, this writer would argue that at bottom in a democracy those are judgements for the providing public to make and to express through their chosen political representatives. (That claim acknowledges the facts that democratic judgements are open to manipulation though the media and social ethos and that such judgements are made for good or ill. This is simply a corollary of substantive democracy – the least-worse system for running society devised as yet, despite its imperfections.) If that is so, it implies that it should be open to a representative government to propose reductions of provision across the system in particular fields, if that is done by discontinuing support for weaker offerings. It is up to the academy to argue against that where it thinks necessary and up to government to take those arguments seriously. *Neither party has the last word in principle, for each has relevant expertise that the other lacks: whichever set of claims trumps the other in the name of (not always obvious) public benefit should prevail, with both sides willing to concede in that name.*

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This matter of proper field-balance across the higher education system, frequently instanced in South Africa in debates around 'who may decide how much of what should be taught where and by whom', can serve to illustrate more practically the claim that *the resolution of dispute must give authority to expertise, with that expertise making over-riding appeal to public interest arguments*. In challenge to the academy, for example, this writer would suggest that no arguments from academic freedom can support a guarantee of life-time employment at public expense in one's chosen trade. That is because any privileges associated with academic freedom, when that is claimed as a right of immunity, come into force during the exercise of the trade because of the value of the trade itself: they do not derive from possession of the skills deemed necessary to pursue the trade, as those are simply attributes of persons. All of the more desirable roles and positions in an economy must be competed for, not only on entry but throughout a career and it is only the anachronistic tradition of academic tenure that has given exemption to (some) academics. That claim should not be confused with supporting licence to restructure provision for expediency, financial or political – whether that is proposed by higher education's regulators or its in-house managers. Whilst lifetime tenure can only be, inadequately, defended by recourse to tradition, there are nonetheless weighty academic freedom defences for academic job-security over sufficient periods to ensure support for research without immediate payoff, whether epistemological or financial. These defences are weighty precisely because they are founded on the potential value to the public good of 'blue-skies' research and long term projects.[11] In the same way, arguments from institutional autonomy cannot justifiably support the maintenance of existing provision on the grounds of past history: only when defences of current institutional provision are grounded in academically-related claims concerning the greater public good (see below) do they demand respectful hearing. Many of the considerations adduced in relation to this particular policy example have pertinence for others.

In challenge to external custodians of higher education, still in relation to 'programme balance' across the system – one policy example with implications for the broader question of 'who decides what to teach …' – two general claims should be tabled beside those challenges to the academy. One is practical, having purchase on this example, but also general since it could apply to several others which cannot be raised in this paper for reasons of space. The second will be procedural. The generalisable point is that even if the wellbeing of the system *and* its potential to benefit society are believed to demand *prescription* of the extent of provision in broad areas and its best location within particular institutions, any *proscription* of fields of study, anywhere, at the level of higher education where learners are adults, is a dangerous precedent for an executive to set – dangerous with respect to the public good. It is taken for granted here that none of what follows licences 'hate speech' or any peddling of prejudice, covered by standard legal restraints. Nor does it licence factual distortion or manipulation, covered by standards of academic practice. The danger of proscription deserves elaboration.

Where two aspects of public wellbeing conflict, as they often do in decisions the executive must make, no part of the education sector can be treated in quite the same way as, say, the health service or the transport system. That is because of education's power as engine of reform in

society, forming public aspirations as well as meeting them. In higher education therefore, proscription or circumscription of study areas may entail the closing or narrowing of potential avenues for society's evolution.[12] When one matter requiring redress of past injustice and present inequality is set alongside another, then it is a matter of balancing the weight and urgency of each present need. But when a strategy for *meeting a current need* risks circumscribing the capacity of a social practice *to both serve current needs and open society's future* in ways as yet unknown – the hallmark of higher education and the basis of enduring respect for academic freedom – the latter consideration has the weight in principle to trump the former, unless the current needs in contention are basic. There is a democratic political duty to meet current needs, but the over-riding duty of democracy is to leave the future open. (One implication of that complex point for the policy example here of 'provision imbalance' is that recourse to a defence of institutional autonomy would lend strong support to claims that where institutions wish to cross-subsidise unfunded fields of study – or unfunded courses – there should be no hindrance, provided that can be done without academic detriment institutionally or systemically.)

That general claim has ramifications for many other aspects of steering where questions of academic freedom and institutional autonomy may arise. For that reason it brings in a procedural point. The over-riding democratic principle that society's future evolution be left open, in deference to the rights of *future citizens* to make decisions about their wellbeing across the broadest possible canvas of options, places a duty of restraint on those who represent the interests of *current citizens* in relation to education and to higher education in particular. This suggests that in the co-operation between organs of state mandated by the Constitution, greatest caution should be exercised where greatest power resides. Quite properly, power-relations between the academy and government ensure that the latter is in a much stronger position to prevail where there are differences of view or even a dispute between role-players. That is not merely because government holds the public purse-strings but because it is with the government of the day that executive power lies. But the academy is hardly powerless in negotiation: to explore the truth of matters of importance and to articulate those findings is its constitutive capacity and core rationale. In respect of the optimal evolution of the academy in South Africa, the academy itself clearly has both expertise and interest. *Provided that both the academy and the executive are always mindful of distinctions between expertise and interest on the one hand and vested interests on the other, the academy's expertise, interest and voice should serve as counterbalance to government's legitimate interest and executive power.*

3.2.3 Substantive equality of opportunity: breaking down apartheid structures

This section has so far commented on higher education's role in relation to formal equity and formal equality of opportunity in today's South Africa. But it noted in its theoretical preamble that the Constitution mandated more than those two conditions, requiring also that formal equality of opportunity (the removal of structural hindrances) be given progressively more substance in a newly democratic South Africa. The first prerequisite for getting that process underway is obviously the dismantling, through social 'deracialisation', of the divides imposed

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on the population by apartheid: the creation of a society in which, for all, substantive equality of opportunity would become broader and deeper, and of course be indifferent to 'race', gender, religion or ethnicity. Brief remarks should therefore be made here concerning the academy's role in that process of 'deracialisation' before the further requirement – the need for the empowerment of those previously excluded and silenced (the latter with decreasing success) – is considered below. In relation to both 'deracialisation' and empowerment – the twin fundamental prerequisites to bringing substantive equality of opportunity – it will be argued that *a more substantial notion of higher education's public accountability can be harnessed to a thicker conception of academic freedom, contrary to the standard assumption that those two concepts must be in tension with each other.*

To look first at higher education as an object of reform, the 'deracialisation' of the academy itself is treated initially here. On this process, the removal of both legal and structural hindrances on access to the academy for prospective students across the nation (required by even formal equality of opportunity) has already been addressed. What is sometimes too hastily seen as an equivalent issue – 'representivity' in the academic and managerial staffing of higher education – was left until this stage of the framework-analysis. The reason for postponement is the salience of this issue for *substantive equality of opportunity* across society. At first sight it may look as if ensuring representative proportions of academic and leadership staff in South Africa's reconfigured universities is an issue precisely analogous to equalising student access and progress, but it is not. For it is not a matter for redress on grounds of individual rights to equal treatment, as all social roles must be competed for in any society. Though not on those grounds, it is nonetheless a matter for redress on other grounds: indeed the unjust and grotesque exclusion of all but the politically privileged minority, with rare exceptions, from desirable and powerful roles in society was a matter for urgent redress with the advent of democracy for two good reasons. One is the injustice that such exclusion had visited on the excluded; the other is that just who is visible, powerful or materially thriving in the social world strongly affects the aspirations and life-chances of the rest. Those reasons are quite sufficient to endorse the need and justify the requirement for affirmative or positive action in favour of the historically disadvantaged in competition for employment opportunities, since arguments from redress are doubly well founded.

The first of those two grounds for jump-starting representivity in the academic body through positive action is a direct redress-benefit to those whose talents and inclinations would, in a non racially-divided society, have resulted in an academic vocation and possibly career. The second is an indirect redress-benefit to others in four respects. As noted, the make-up of the academic body in terms of 'race', class, gender, etc. has an impact on social aspiration for individuals beyond the academy, the young especially. It has a particular impact on those who gain access to the academy. In the case of students from historically disadvantaged groups there is a wealth of evidence that one obstacle to both progress and wellbeing is a feeling of exclusion in higher education institutions where they were formerly in a very small minority, and an assumption on the part of some academics that all students will assimilate to the pre-existing institutional culture

(Carrim & Soudien 1999; Erasmus & De Wet 2003; Erasmus 2005). Conversely, in the case of students from historically advantaged groups, any residual feelings of group-superiority may be buttressed by their easier passage in a familiar environment. All are ill-served when those who teach them come disproportionately from a particular population group.

Two further aspects of indirect benefit from representivity in academic staffing go beyond the welfare of current students: indeed they concern the health of South Africa's national higher education system. An often-cited consideration is the need to thaw the 'frozen demography' in which academics and hence the core of the country's research community are from one population group (liable to emigration) and in the later stages of their careers. Thus "Combined age and 'race' data [show] … the white 'over-50' cohort moving closer to retirement with little evidence of a commensurate younger black cohort waiting in the wings" (CHE 2004h: 113). Apart from the problem of renewing that research community, drawing on the talents of all the population, one final benefit to be had from representivity in academic staffing is a broadening of the focus of research and a consequent enriching of curricula – both of which cannot but reflect the cultural interests and social priorities of their producers. That last consideration will be returned to in section 5.

However, despite all these types of direct and indirect benefit, just as there were cautions and caveats to using representivity in the short term as an adequate measurement of fair student access, so there are cautions and caveats also on regarding representivity in staffing as either adequate in the short term or sufficient in the longer term as a measurement of social redress. These are more far-reaching. For brevity here, just one caution and one caveat will be tabled. The caution draws on worries voiced already within South African academia – and not from 'the usual suspects'. These are concerns that too rapid promotion for recently appointed academics from previously disadvantaged groups, in the name of speeding representivity at all levels of the staffing structure, does a disservice to students, to those staff themselves and to both the reputation and the productivity of higher education in the longer term. Jansen observes that to counter 'poaching' of able and promising new staff, whether by research councils, the bureaucracy or business, "The instrument of choice, under these conditions, has been to give away professorial status and salary-levels to these young and ambitious black academics". He goes on to argue that "The system-wide effects of this dumbing down of the professoriate are devastating and can reverse hard won scholarship gains through the painfully slow and systematic building of capacity in institutions" (Jansen 2003b: 9). Whilst the present writer might dissent from some of the views and vehemence of that paper, the general point is well taken.[13] A first-class senior staff, for which a long and arduous apprenticeship is required, is vital to the health of higher education, both in research and teaching.

Any such regrettable side-effects of claimed recent practice in some higher education institutions raises a much wider problem. This is the fact that whilst positive action to redress past injustice is clearly required by moral principle, the manner and speed of implementing it is crucial to its success, both for the individuals concerned and more importantly for the wider society. As a

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measure to improve justice in competition for social roles, positive action offers a double-edged sword to redress *when those roles exist to bring benefit to others*. In the case of higher education staffing, those others are both current students and also the wider society. That double-edged sword is particularly, and unusually, sharp in today's South Africa. For where a minority is disadvantaged by history or structure, problems are minor. The claims of that minority clearly merit compensatory action from the rest, and meeting their claims does not risk compromising the social project on which *redress to their group* relies. But there is a much more complex set of problems where it is *the majority who is disadvantaged.* On the one hand, meeting the claims of that majority is all the more urgently indicated. But on the other, when those claims are met in individual cases, in a social practice whose rationale is to contribute to the public good – and most of 'the public' are disadvantaged – two potential problems need attention.

There is of course the standard matter that since groups designated 'disadvantaged' are not homogeneous, it is the least disadvantaged among the disadvantaged who are most likely to benefit. (It was soon observed locally that as transformation makes advances, a simple relation between race and inequality cannot be taken for granted as "high levels of inequality are increasingly based on intra-racial not inter-racial inequalities" (Seekings & Natrass 2002: 2) making 'race' steadily "a less adequate proxy for disadvantage" (*ibid*.: 25). But even more pertinently for South Africa, the risk comes in that redress secured for selected members of disadvantaged groups may not simply be at the justified expense of the advantaged but also at the regrettable expense of much greater numbers of others who have been at least as disadvantaged as they and usually more so (see Jonathan 2001a). This second problem, a risk especially relevant in today's South Africa, is amenable to action and there the public accountability and academic freedom of the academy comes into the picture. For *academic freedom is underpinned by a range of values which include a fiduciary duty to present students, a commitment to the health of fields of knowledge and research, and a responsibility to optimise the social good that higher education represents.* All of these values make it part of the public accountability of the academy to ensure not only that staff representivity is advanced but that this is done without detriment. That may well mean that time and resources must be devoted in non-traditional ways to ensuring various kinds of support for recently appointed academics, support which would not only enable them to develop their talents fully but also would act as better incentives to retention than the 'quick fix' of accelerated promotion. As so often, the additional demands placed on the academy by transformation require funding support for resourcing commensurate to the task.[14]

There are two reasons why so much attention has been paid here to the complexity – theoretical and practical – of speeding representivity in staffing *within the academy* through positive action. One is that the consequent care that must be taken to minimise any damaging side-effects, not least on the careers of staff appointed, has implications for the academy's duties in-house. The second and more far-reaching reason is that, for similar theoretical and practical considerations, higher education can and should play an important part in maximising the social gains of representivity *in other social practices*. In other words, if a prerequisite to substantive social

equality is to break down apartheid's structures as quickly as possible – making speeding representivity across the workforce through positive action a clear social benefit – then the priorities and practices of higher education become clearly at a premium in mitigating any side-effects which, in the short term, could diminish overall social benefit. One particular social practice of key importance will serve as an example. (The second such key practice, schooling, will be treated below as its social benefits are uniquely multi-faceted.)

One social practice fundamental to transformation and specifically to giving real substance to equality of opportunity was flagged in section 2. That was the civil service bureaucracy whose effective implementation of the executive's decisions is crucial to improving the material condition of the mass of South Africa's population. It was noted there that concern has been raised about that effectiveness, compromised at present in the view of many commentators, by the legacy of apartheid and the means resorted to to address that speedily following the end of that regime. Thus Picard suggests that "The push towards affirmative action led the ANC towards a policy choice: replace the existing white middle class with a black middle class or alternatively focus on human resource development, capacity building and social change. Given the ANC's political support, the party to a large extent chose the former" (Picard 2005: 19). Other analysts suggest that there was little choice to do otherwise, given the circumstances (early retirements of existing staff at transition, retrenchments required by restructuring, etc.), but a view on that is immaterial to this paper.

Three points of fact are material though, both to the current composition of the public bureaucracy and to higher education's role in assisting its future development. Firstly, the *White Paper on Affirmative Action in the Public Service* states that "The broad numeric targets set out in the white paper on the Transformation of the Public Service for each of the three target groups must be translated into strategic prioritized, time-bound targets for each of the department's occupational groups and must be broken down by race into African, Coloured, Indian and White" (MoPSA 1998: 21). Secondly, the problem of rapidly securing representivity at senior levels in the public service (impelled by restructuring and staff exit and also exacerbated by the pay and promotions structure) has sometimes resulted in under-qualified managers who risk blocking the path for, and demotivating, those who may enter the service later but better prepared. Thirdly, it needs little emphasis that an effective bureaucracy at all levels is basic to service delivery, without which the material conditions of the disadvantaged cannot be improved nor even their natural life span assured. (A single example suffices: inexperience and under-training in the civil service "promotes incapacity through timidity … Civil servants seemed afraid of doing the wrong thing, with the result that in 2000 the Health department failed to spend 40% of its AIDS budget" (Sparks 2003: 265).

These facts together indicate an important public responsibility for higher education. The 'deracialisation' of higher education's academic personnel at all levels treats higher education, quite properly, as an object of reform. From that simple aspect, the implications for academic freedom and institutional autonomy – their trade-offs against public accountability – are

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primarily concerned with ensuring that all trade-offs are grounded in the aim of maximising representivity's gains whilst mitigating any damaging side-effects. In relation to the governmental bureaucracy, central or provincial, higher education has a more significant role as engine of reform. Not surprisingly, from this more complex aspect of higher education, academic freedom and public accountability come to the fore more interestingly in the process of bringing real equality of opportunity to South Africa's citizens. It then becomes apparent that *the 'equity' trajectory of South Africa's transformation implies conceptions of both academic freedom and public accountability which are richer than traditional understandings suggest.*

As a result, it could not be simply a matter of responding to any steering requests for adequate provision of traditional courses in public administration or management. That is because real *democratic* accountability, a more comprehensive notion than the narrow 'public accountability' required of higher education, as of all parts of the public sector in a democracy, requires more than simple co-operative assistance with society's skill requirements. In this case it might firstly imply lobbying other higher education role-players (government and statutory body) and presenting expert advice without fear or favour on what is necessarily a sensitive issue since it concerns an arm of government itself. To do so should not be seen as an exercise of academic freedom as a right of immunity but rather as a duty of democratic responsibility. (It would be most likely to be so interpreted, the greater were the academy's efforts in other areas covered by 'social relevance' and 'social responsibility'.)

And the democratic accountability required by social responsiveness goes much further here than "speaking truth to power" (Said 1994 *passim*). It extends to careful attention to the attitudes and priorities shown by academics in teaching pre- or in-service professionals and to the ethos of institutions whose environment of social and cultural respect for all students can powerfully affect the attitudes of graduates for either better or worse. Some analysts have expressed fears that in the worst-case scenario "… affirmative action, whilst justified to counter decades-long discrimination, could transmute into the reorientation of the state towards the enrichment of a new elite …" (Daniel, Southall & Lutchman 2006: 6). If, in a corresponding worst-case scenario, the academy feels to its students like a bastion of privilege, then where those students are being prepared for a long career of public service, that damaging outcome could become more possible. Even if we regard as hyperbole the President's warning that some in the public service "think of themselves as pen-pushers and guardians of rubber-stamps, thieves intent on self-enrichment … bureaucrats, who come to work as late as possible, work as little as possible and knock-off as early as possible" (Mbeki 2004b: 18), it is undeniable that the personal values and commitments of civil servants are even more than usually important when they serve a society in process of transformation. So, correspondingly, are the attitudes of academics and the values that institutions instantiate in all of their practices. Naidoo observes that whereas presidential 'State of the Nation' addresses (2002 & 2004) tend to stress improving competences and efficiency in the public service, "the present cadre of public servants are in reality expected to do more than deliver services efficiently and effectively. They are expected to continuously examine and respond to circumstances that constrain the utilisation of and access to services", which "involves a kind of psychological rehabilitation of the relationship between the public

service and the public, progressively retarded by years of alienation climaxing in apartheid" (Naidoo 2005: 121). The attitudes and values of new and recent entrants to the service – its leadership for the future – could not be at a greater premium, as cannot be the democratic responsibility of higher education in that regard. Indeed Naidoo continues: "regardless of how one characterises the balance between procedural accountability and ethical values and standards, it cannot be assumed that a new slate of legislation, strategies and mechanisms will itself prompt a corresponding response from the public service" (*ibid.*: 122).

Furthermore, skills and values together still do not adequately prepare for a life of public service in a society in process, not just of modernity's rapid *technological change*, but also, more importantly for South Africa's bureaucracy, in process of radical *changes in the conditions and expectations of its people*. That last factor suggests that knowledge which is currently relevant is a necessary but far from sufficient preparation for the nation's public service. Here again academic freedom in higher education assumes a relation with democratic accountability which entails no compromise with core academic values – quite the reverse. For the pursuit and dissemination of 'unbounded knowledge' – the disposition always to question one's assumptions, to be always open to unexpected facts or reasoned rebuttal in argument, and to acknowledge the limits of one's expertise and to seek always to extend it – are at the heart of the academy's values and rationale. Hence *far from being luxuries in today's South Africa, higher education's core values and rationale – its freedom and autonomy to push the boundaries of knowledge and critique – are at a particular premium.*

Indeed transformation and the substantive equality of opportunity it mandates have an even greater need for that unbounded knowledge than does a settled, affluent society. In the education and training of public servants it has a particular importance. Though initially the government demand is inevitably for 'up-skilling' the public service, it would seem an aspect of the democratic accountability of academics to insist that that alone would fall far short of remediating even efficiency and effectiveness. Thus the values of academic freedom become part of higher education's accountability when that accountability is democratic. (To make that point to those outside the academy becomes increasingly difficult as the commodification of knowledge leads students themselves to over-value simple skills and competences, (see section 4)). In recognising that, it seems strategic in the long term for government, in this example among many, to ensure that more than grades of specified competences are rewarded on entry to and progression in the public service.

We see in that example of higher education's importance to transformation that the fulfilment of academic responsibility may at times appear to put academic freedom and public accountability in tension. For in that instance, to service the needs of a radically changed and speedily re-staffed civil service may entail a reordering of institutional and individual priorities of resources and time and may also involve challenging preferences for traditional modes of teaching – sacrifices which should involve senior and permanent academic staff. (There is evidence that some institutions have evaded those burdens by outsourcing provision to casualised and less experienced staff and that others have treated such provision not as a social responsibility but

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as a cash-cow to resource other areas.) But when the matter is given close scrutiny it becomes clear that *the process of advancing substantive equality of opportunity through higher education valorises academic freedom, richly understood, as a constituent part of democratic accountability.* It matters that the education and training of those who deliver material redress to the people should be of the highest order, in content, scope, process and ethos. But since, with the best of will, time and resources are limited, responsibilities also fall on government to facilitate this key ingredient of transformation not only by attention to structures and incentives in the public service but through targeted resourcing for higher education and support for the academic freedom to advance unbounded knowledge.

However, to take further the role of the academy in fuelling the process of bringing 'real' equality of opportunity closer in South Africa, more than the material conditions of its people must be addressed. This paper places those non-material conditions under the rubric of 'empowerment', the third leg of transformation's tripod. It is uncontroversial that higher education, in South Africa as anywhere, should be 'socially relevant' or 'socially responsive'. But those are just means to the empowerment of others. Empowerment itself cannot be part of the lived experience of all citizens unless the spread of knowledge and understanding across the population underpins substantive democratisation.

3.2.4 Substantive social equality through empowerment: implications for this debate

It is above all in empowering South Africa's citizens directly that higher education comes into its own and questions of academic freedom, institutional autonomy and democratic accountability become most interesting. The core role of higher teaching and learning in the cultivation of both personal and social empowerment, on the one hand by passing on to the rising generation the necessary individual cognitive skills and broader aspirations, and on the other through the academy's collective contribution to sustaining an ongoing public culture of democratic engagement and critique cannot be overemphasised.

Those two considerations highlight the importance that should be accorded to the academy's contribution in the necessary collaboration between relevant organs of state designed to maximise the social benefits to South Africa of its higher education system. This paper has sufficiently argued that in reasoned negotiation, reflective decision defers to expertise. Higher education's fundamental importance for many avenues to individual and public empowerment would suggest that in such matters *the defence of academic freedom and institutional autonomy, understood as conditional rights with correlative duties, should be taken with great seriousness since the maintenance of those conditions enable the academy to meet its democratic responsibilities.* It is for that reason that academic freedom has been reasserted the world over for many centuries not as an individual right but as a public benefit. (The fact that it is open to abuse is a matter for collegial vigilance anywhere.)

It has already been argued that higher education has a vital role in fostering that unbounded knowledge which, beyond specific cognitive skills, is required for the formation of public servants

motivated by an ethic of public service in a challenging and rapidly changing social environment. Such knowledge and the critical capacities it promotes was seen as a benefit to the individuals concerned but, more importantly, as a key factor in enabling them to manage services designed to improve the material conditions of citizens. Those services in turn are delivered to citizens by many professions such as engineers, architects, lawyers, social workers and health care professionals. In their education too, in higher education institutions of differing types, the unbounded knowledge they acquire is not just the hallmark of university learning. More pertinently, an emphasis on unbounded knowledge makes the difference between simply having a professional skill on the one hand and on the other having the commitment to use that skill to the benefit of others and to continue questioning and extending expert knowledge and its applications.

Once again, there too the ethos of the academy – the respect shown to the cultural experience of all students, the commitment of academics both to a field of study and to its social importance – will be a significant factor in the attitudes of graduates within and beyond their own chosen professions. The implication here is that if the academy feels that additional time and resources are required to prepare professionals by equipping them with more than technical expertise, it would be a duty of academic freedom to make that case. (The rates of emigration of South African professionals, particularly in the health sector, should make that case persuasive to funders on strategic as well as principled grounds.) Were these arguments well taken, however, some individual academics might be required to modify their traditional priorities, with some social scientists finding themselves, say, offering courses to medics or engineers. Evidence elsewhere suggests that although, where that is common practice, some see it as an imposition on academics' freedom to give their full teaching attention to students who have chosen to study their discipline, others find after the fact that it extends their pedagogical repertoire and often opens fresh avenues for research.

One significant group among the professions who are educated and trained to lead and staff the diverse sectors of service to the public which drive transformation – and fuel innovation across society over the length of a career – were not included in that list. Teachers at all levels of schooling were omitted for good reason. That is because general education is not simply a service delivered to the public in order, in that case, to pass on knowledge and skill and to socialise the rising generation. For education is a 'good' unlike other social goods such as water services, transport, housing, legal services, medical care or social support. It alone, firstly, is a good which gives individuals an enhanced means of access to those other goods where they are publicly provided and to the means to secure them where they are privately provided. More importantly, the education of today's young is the most powerful determinant of the form those goods will take in the future and also of the manner of their future distribution. The future form of all those social goods will depend upon the knowledge, the skill and the capacity for imagination and innovation that the young develop through schooling. Their future distribution will depend upon the moral values and social understandings the young develop through schooling, the home and the wider environment.

Hence the role of teachers is far broader than merely equipping the young to function as adults

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in society as it happens now to be, with the employment opportunities, or lack of them, which currently exist. Of course schooling must meet that challenge but that is merely the least of it. Schooling must also prepare for democratic, fully-participating citizenship, for all of the young – and that is more than a matter of including 'citizenship' courses or 'social education' on the curriculum. To that end, it is a matter of empowering the young to ask questions, to interrogate received opinions, to respect authority without automatically deferring to it, to learn to enjoy growing in knowledge and capacity, and to extend their imaginations. That may seem a hopelessly unrealistic series of aspirations (and each of them is certainly more difficult when structural conditions work against even the most basic of schooling's tasks) but one thing is undeniable: the young cannot be empowered through schooling unless teachers themselves are empowered.

Significant moves have been made to improve the quality of schooling. Many hopes are now pinned on higher education. Thus Chisholm states that "The incorporation of teacher education colleges into universities has significant implications for improving the quality of teacher education in South Africa." (Chisholm 2005: 213). She adds that "… there is still cause for concern about the number of unqualified teachers in the system and the quality of teacher education on offer. Hopefully, new teacher education programmes at universities will start kicking in to improve the overall quality of teachers …" (*ibid.*: 215). For those hopes to be fulfilled, there are implications for both institutional autonomy and academic freedom. An expansion of teacher education in universities requires not only sufficient resourcing from government but also a respectful hearing for institutions when they autonomously report what they actually can deliver to high quality and what they cannot. One duty of Education academics' freedom would be to argue carefully for what should count as quality in the education of prospective teachers and to report on for what numbers of students that standard of quality can be provided.[15]

Since teachers, once educated, are hoped to remain in the service for a forty-year career, a better national improvement in schooling comes from quality improvement, even if things take longer. Moreover, real quality improvement in teacher education also attracts able candidates to the profession in larger numbers. In teacher-upgrading, spread of reach is at more of a premium and there institutions require sufficient full-time and fully qualified staff to do that work properly. The duty on Education academics is to insist within their institutions that this is so and to resist any institutional tendency to look on the outsourcing of this work, more importantly than any, as just a strategic benefit in income and representivity gains. In this case *it is within their institution and to its management that academics are entitled (and required in terms of their own democratic accountability) to deploy their academic freedom to defend the quality of their work.* For in this case that is not for the benefit only of their own research and teaching: it is also for the clear benefit of society now and in the future.

That concerns the matter of how many Education students academics can teach to a high standard. The high standard itself comes from what is taught to tomorrow's teachers and how it is taught. On

the latter it can be noted that, in teacher education, the ethos of the institution, the commitment of academics to their own field and their students, and the relations fostered between students, are at an even greater premium than in other areas of university education: for in the case of intending or practicing staff for general education, higher education teachers are not just examples to follow as experts in a given area: they are professional exemplars. Further comment is needed on the question of what should be taught to Education students. If speed and numbers are the priority rather than quality, the temptation is to pass on the basic knowledge and competences that present policy requires for its implementation. However, we see the world over that little changes faster than fashions in educational policy. That would suggest that in the professional preparation of teachers, as with any other group of professional students, the emphasis should first be on a solid knowledge base. It would also suggest that the unbounded knowledge and capacity for critique which, in addition to knowledge and skill, empowers all students, is of greatest of all importance in educating the teachers of tomorrow. In this, Education academics can deploy their academic freedom to insist that this is so and to resist any institutional tendency (too common in institutions which consider themselves 'research universities') to regard Education as a 'Cinderella subject', coming last in the competition for academic recognition and resources. Here again, *academic freedom is deployed in defence of standards and integrity, in the face not of pressures from regulators but from institutional colleagues and managers.*

Indeed it could be argued part of the democratic accountability of all academics and all higher education institutions to champion and protect the education of teachers, not only in the name of citizen empowerment through improved schooling, but also because the quality of schooling is of over-riding importance to the academy itself. If the social practice which stands at the apex of the nation's education system is to function optimally, good standards of quality in general education are essential. When that is not the case, as it cannot yet be in South Africa, given the time it takes to make good apartheid's depredations, both time and resources are required for remediation of cognitive deficits, making it an investment in the future of full academic freedom to prioritise activity (and deploy institutional resources) in order to ensure a quality education for teachers.

So far, this brief case for valorising empowerment in higher education – a case which simultaneously valorises the constitutive strengths of the academy itself – has addressed only the higher education of those whose professional role is to enhance the material conditions of the nation's people and of students who will be charged with the general education of the young. That all of higher education's students on non-professional programmes, undergraduate and postgraduate, also require and deserve an empowering learning experience was, until recently, a truism of higher education policy and practice the world over. Despite recent international trends towards the commodification of knowledge, sufficient should have been argued in this paper already to suggest that to follow those recent trends would be particularly unfortunate for South Africa's democratisation process (see section 4). In sum, if those empowered individuals are not to be just the elite of a still-divided society, their empowerment, through unbounded knowledge and a broadened social perspective, must be of such a far-reaching kind as also to benefit the wider community.

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To address that benefit directly and beyond the academy, higher education institutions in recent years in South Africa have become increasingly involved in community projects of various kinds. Whether these form part of the student learning experience or involve putting academic expertise to the service of the surrounding community through clinics, legal advice centres, training workshops or adult basic education, these are standardly seen as part of the academy's social responsibility – to at least some extent as a partial *pay-back* for the privilege of their core activities. What is less often emphasised is that in many academic fields that 'community service' is also a service the community renders to the academy. The benefits are reciprocal. For community involvement has two kinds of *pay-off* for the academy. Firstly, it facilitates effective teaching and improves institutional ethos through familiarity with the environments from which many students come. Secondly, it opens new avenues for research and publication which are of interest and application to academics not just locally but internationally, especially those working in similar structural circumstance. The benefits are also mutually reinforcing. For both of those gains to the academy feed back into further gains to the community, gradually reducing the strictures that inevitably constrain some of the academic latitude that academics, under ideal conditions, might desire. (It is doubtful whether such conditions have existed anywhere except where the activities of the academy have been straightforwardly parasitic on society in the service of a privileged elite (see section 4).)

It would seem, as suggested cumulatively by this analysis, that *academic freedom and institutional autonomy counterbalanced by democratic accountability is no zero-sum game for the academy*. Nor need democratic/public accountability be seen, either by government or the academy, as a necessary (by the former) or inevitable but regrettable (by the latter) brake on institutional autonomy, provided only that the empowerment of students – and through their attitudes and activities the progressive empowerment of the wider population – is fully endorsed by all organs of state involved in the steering of higher education. The arguments advanced in this section suggest that the greatest contribution the academy makes to empowering a society seeking progressively broader equality of opportunity is not so much through community involvement, valuable to all parties though that is, but *through what and how universities teach*.

At risk of repetition, it has been stressed in this brief sketch of what higher education's social benefits imply for academic freedom and institutional autonomy that only if the third leg of transformation's tripod is valorised for the whole population – and with it the core values of the academy – can 'development' be more than economic and rhetorical 'empowerment' mean more than the enlargement of a privileged elite. That social scenario is rather likely to occur in the first stages of a transformation process and indeed some have reported evidence of it locally. Several surveys note a rise in the Gini coefficient during the early years of the new democracy and others note that inequality has increased among the formerly excluded such that the "incomes of the richest 10% of African households rose by 17%, whilst the incomes of the poorest 40% of these households fell by 21% " (Seekings & Natrass 2002: 25). That is a loss in the modern world not only to the deprived but to any nation in simple GDP terms, as only an inclusive polity can reap sufficient return from all of its members. (It is on that premise that the 'massification' of higher education has

been sought in affluent societies, though that in itself has proved to be neither the means to nor a substitute for greater equality of opportunity for all.) It was noted in section 2 that in passing on knowledge and skill, the academy and its regulators might be well advised to take care to mitigate any potential conflict between the social and private benefits of higher education. In relation to empowerment, however, no such potential conflict need exist. That is because the intellectual empowerment of individuals can be a constituent part and collective driver of benefits to society. If – and only if – it is extended beyond the academy itself and across society, intellectual empowerment can fuel a virtuous spiral of increasingly substantive equality of opportunity.

That claim leads this analysis to the roles of academics in advancing democratisation through empowerment outside the academy and beyond its immediate environment. One direct role is prompted by the fact that even when the provision of services for the whole population is efficiently managed and delivered by committed professionals, in South Africa as everywhere, "The poor are often the last people to take up the opportunities available to them" (Hemson & Owusu-Ampomah 2005: 515). That problem is the worse, the greater are the levels of inequality in any society. Poor take-up of available services is in part due to poor physical access, but also results from poor access to information and to the skills of dealing with a bureaucracy. Moreover, "Some commentators have observed that in South Africa there is an apparent mis-match between anti-poverty policy and programmes on the one hand, and the circumstances and needs of the poor on the other, a phenomenon that is determined at least in part by the lack of voice and limited active participation of the poor" (Roberts 2005: 498).

This last point is of real importance for an academic role which firmly *allies academic freedom with democratic accountability*. To fulfil that role is not a matter of simply providing advocacy services to the community, useful though that is. In order for empowerment to gain momentum through the population, information and pressure on service providers and government must come not only from the top down but also, independently, from the bottom up. It would not be an overstatement to say that it is the empowerment of those lacking 'voice' which makes representative democracy a reality and any choice of representatives a properly informed choice. (Sen has argued similarly in the Indian context [Sen 2004].) Indeed, it is the voice of those still deprived which acts democratically against any impulse by those who have already achieved substantive equality of opportunity to put brakes on its spread to the rest.[16] It was noted at the start of this section that once there is formal equality of opportunity in a society it is up to the popular will, electorally expressed and democratically delivered, how far down the road a society decides to travel towards real equality of opportunity for all. For that popular will to be effective, information and voice is required.

The warning has been tabled recently in South Africa that the new democracy risks failing in its purpose if the poor continue to lack either voice, the capacity to organise or suitable platforms to make their views heard, since this inhibits their active political participation and curtails their proper impact on policy (Friedman 2004). Academics have several means to remedy that state of affairs and its remediation is perhaps the strongest of all grounds for the defence of academic freedom.

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Those of their actions and activities within the academy which favour social empowerment have been sketched here, as has their community participation. It is perhaps their role as public intellectuals in the wider world that is of paramount importance in this regard. This is most uncontroversially the case in relation to research which benefits not only their academic discipline but also the nation's people as a whole when it is informed by real social needs and by felt issues of importance to the disadvantaged. The broader role of academics comes into play when, as public intellectuals, they "speak truth to power" (Said 1994) in areas such as health, education, legislation or the environment, speaking from and within experience and expertise.

Still broader is the part they can play not only by being exemplars of fearless questioning and constructive critique when writing and speaking in various media within their own expertise, but also by giving voice to the concerns of those who currently lack the cultural and social capital to make their own voices heard. It is this willingness to speak with rigour and relevance, encouraging others to question and to challenge authority (including theirs), not only within the academy and the policy community but also in forms of communication that reach the still-voiceless, that is higher education's greatest contribution to an open democratic culture and hence to the progressive spread of substantive equality. Several of those views were also expressed by the former minister of education in an "Academic Freedom" lecture series last year when he stated firmly that academics "… are fundamental to the development of a conscious citizenry, the process of democratisation and a vibrant civil society". He added that "It is here that higher education institutions can and must develop creative partnerships for the improvement of public life and for fostering public participation of citizens in the critical issues of the day" (Asmal 2005: 12-13). If these points are well made, then the claim made at the start of this third and central section of the present analysis – *that public accountability is not inimical to freedom and autonomy in the academy, quite the reverse: properly understood, it requires them, as presumptive principles which are constrained only for sound reason in the name of a greater public benefit* – is vindicated.

When higher education's statutory body states that the academy "has immense potential to contribute to consolidating democracy and social justice, producing critical intellectuals, developing knowledge, and expanding and improving the economy" (CHE 2004h: section1.2), it has matters the right way around. The academy, through its contribution to public debate, is well placed to urge support for that priority ordering in policy since, as this section has attempted to show, the emphasis given to each leg of transformation's tripod has far-reaching implications. Not only is it vital to the spread of substantive equality of opportunity through society: so is it, consequently, for the steering of the academy and thus for academic freedom, institutional autonomy and public accountability. When higher education itself holds fast to that ordering, *it claims a rich academic freedom by developing a conception of democratic accountability of which that freedom is a constitutive – and hence secure – part.* However, many maintain that impediments and challenges to academic freedom and autonomy within higher education today come less from its regulators or the contingencies of circumstance than they do from a recent new pressure on South African higher education – the pressure of market forces and practices. The next section will outline some of those issues.

4. Market forces and the freedom, autonomy and accountability of higher education

Up to this point in the present analysis there has been only passing reference to the pressures of the market in today's world, pressures which impact on higher education at a series of levels. Neither government, nor higher education institutions, nor individual academics, nor students, nor the public who are the funders and indirect beneficiaries of public higher education are immune from the pressures that 'market forces' exert and the opportunities that response to the market promises. No theoretical framework for contextualising academic freedom, institutional autonomy and public accountability in higher education can ignore the implications of those pressures and opportunities for the steering of the academy in South Africa. This section will note some of the resulting issues.

4.1 Higher education in a 'globalising' world of 'markets'

Despite the fact that higher education in South Africa, as has been standardly the case throughout modernity, is largely funded locally, is regulated locally, is predominantly 'produced' and 'consumed' locally (with staff and students drawing on cultural and cognitive capital predominantly locally acquired), and is expected to be a social good making a significant contribution to local conceptions of the public good, higher education is nonetheless, as is normal, an international as well as a local enterprise. That has been so throughout history, except where local systems have become fossilised through historical circumstance. Were it not for the universities of ancient North Africa, the Sahel, Persia, India, Greece, etc., whose knowledge passed to medieval Europe and thence, extended, back to its countries of origin and beyond, to be extended again, we would have neither the universities of today nor the world in which they find themselves.[17]

So for academics above others, 'globalisation' in the sense that knowledge, voices, understandings, concerns and even identities can be both national and international at the same time, is no new experience. 'Globalisation' in the economistic sense, however, where that term denotes a global market of capital and labour (and also culture where spread and transfer is backed by capital) is a phenomenon which, though certainly not new, has gathered pace exponentially over the past thirty years. In that second and restricted but currently dominant sense, 'globalisation' has affected higher education increasingly during the last two decades particularly. In both of its denotations, globalisation affected the academy in South Africa far less than elsewhere during the apartheid period, due to academic boycotts and economic sanctions. And again in both of its denotations, though that is not always remarked on, globalisation has always implied a market in which goods of one kind or another are produced, exchanged and rewarded.

Those markets do have the virtues, first elaborated and theorised (too sanguinely) by Adam Smith (1776), that they spur incentive and drive innovation, increase the amount and availability of desirable things, allow the public to reward (whether by recognition, status or money), the

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best among options in any category and also punish by default work that is lazy, shoddy or deemed useless. Collegial scrutiny has traditionally, within the marketplace of knowledge and critique, functioned at its best like that for individual academics; within disciplines, institutions and on the international stage of research and publication. Features of academic life like uniformity of pay and conditions at different promotional levels, stringent criteria for movement between levels, with international review of cases for the professoriate, were traditionally in place to inhibit market failure in the enterprise of knowledge production and dissemination in universities. Until some forty years ago, 'the public' in the case of the higher education enterprise was very restricted indeed, consisting of a social elite of the long-privileged to which a selected few of the talented unprivileged were admitted by a system of 'sponsored mobility' (see Jonathan 1997). That social elite delegated decisions of both quality and salience to the academy itself, giving great power to both academic freedom and institutional autonomy. Public accountability was limited to ensuring the incorrupt expenditure of public funds and the servicing and renewal of a pre-existing social hierarchy.

The first cracks in that state of affairs began to show with the impulse to substantive democratisation that the end of the second world war brought to the industrialised world. Since the mid-1960s, 'the public' who demand a voice in higher education's activities and purposes across that world has grown steadily broader and more vociferous over the years: in the past twenty-five it has become both plural and clamorous, as the pressures of globalisation in the second, economistic, sense have added the values and pressures of commercial market exchange to the previously protected knowledge market of the academy. The result for higher education has been that public accountability is no longer to a social and cultural elite but to the general public as higher education's base-funders and immediate potential beneficiaries, through their electoral representatives in government and its regulatory arms (and also through 'consumer' pressure from potential students).

How that delegated power to steer the academy's practices and purposes is exercised in particular political dispensations depends upon how a government believes the nation it serves to be placed in the prevailing economic market of capital, labour, technology and culture, and how it believes the society mandating it can and should respond to that placing. That judgement of global market placing and appropriate response determines what kind of public accountability demands are placed on a nation's higher education system, and the extent to which those demands constrain or erode traditional conceptions of academic freedom and institutional autonomy. Given this paper's insistence that higher education, unlike other services in receipt of public funding (except perhaps independent but publicly-funded broadcast media), exists to generate and spread knowledge and ideas, it should play no passive role in respect either of current social trends or of their consequences. *It is thus part of the academy's public accountability to formulate and articulate robust concepts of academic freedom and institutional autonomy which are viable and persuasive under current conditions and which have the potential to amend trends judged socially damaging.*

It was noted above that in both of globalisation's senses – cultural internationalism and the global economic market – South Africa under the apartheid regime was somewhat sidelined. For the nation, that meant a stagnant economy and outdated commercial base; for the academy, it meant that the practices of academic freedom, institutional autonomy and public accountability in its historically advantaged institutions (and in others in quite different ways) were frozen at the protected stage of development that higher education institutions in the industrialised world had experienced until some forty years ago (see section 5). However, those rights and duties in the academy in South Africa are now subject to the more complex (and in this respect globally shared) conditions into which it was hurled with the demise of apartheid. In those conditions, for good and often for ill, the commercial market – its pressures and opportunities – both with respect to forces internal to the nation and forces operating on the nation from the global market, is a powerful influence on all actors in any market exchange. Each of those actors influences in turn the context in which national understandings and practices in relation to academic freedom, institutional autonomy and public accountability evolve.

Since higher education in South Africa now operates in the market-sensitive context which other systems have become used to, the vices of markets, not predicted by Adam Smith when he extolled their virtues, must be tabled here. That thinker can scarcely be blamed for his over-optimism, as the opportunities to 'rig the market' in their own favour which the past century's technological developments have afforded to the best-placed in the world – trading blocs, nations or individuals – could hardly have been foreseen. This paper is not the place to comment on those matters except in two respects. The first is that even under Smith's ideal conditions, markets favour the better-placed, by talent, disposition and the chances of circumstance, much of which is necessarily inherited. Even in that best-case scenario the less-favoured lose out.[18] Worse still, when the market is rigged, either by previously constructed social divisions and inequalities or by deliberate current manipulation of assets and rewards (assisted at the international level by open capital markets and rigged commodity markets) then the weakest, nationally and individually, are very likely to go to the wall. The second respect is that modern media of communication, alongside all of their benign and useful aspects, have dangerous powers of influence. They create climates of opinion which give current historical trends an aura of inevitability and which, by the promises they make and the (often unrealistic) expectations they raise, motivate agents – whether governments or their citizens – to climb aboard the market's wagon for fear of being crushed under its wheels.

Those points are no digression, for the momentum of economic market-force is fuelled by the numbers of those who ride its wagon: conversely, the more that nations and individuals prize rewards other than the economic, the more they can assert control over current social trends. This is particularly pertinent in relation to higher education – and especially in today's South Africa. Here, although advancement in the global economy is considered to be necessary to transformation, it is not its purpose. That purpose sees economic development as a means to social development: to the spread of real equality of opportunity across all of the nation's population. By extension, that latter goal is the over-riding purpose of the nation's higher

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education system, with its essential role in assisting economic development being one necessary means to that broader purpose. Just as it was argued at the outset of this analysis that "the state" was too loose a term to get purchase on the topic of higher education's steering, its proper scope and limits, so too "the market" is too general a term to get purchase on the implications for academic freedom and institutional autonomy that can come from a whole range of market conditions and agents. The actions of any of those agents or their constituencies can bring pressures to bear on the academy which risk its diversion away from South African higher education's over-riding purpose, endorsed in the country's still-recent democratic settlement, and instead towards the lesser role of 'market responsiveness'. Any such diversion has significant implications for academic freedom and institutional autonomy, as the academy has elsewhere learned to its cost. Since it has even more important implications for the project of substantive democratisation, then it can be argued that *academic freedom and institutional autonomy, in this framework's 'thick' conceptions, should be defended not in the name of the academy but in the name of the society it serves.*

The next subsection will look at market and quasi-market pressures and opportunities brought to bear on academic practice in teaching and research by government, commercial interests, institutional interests and rivalries, academics' interests vested and disinterested, and the (diverse) national climates of opinion. Some of the challenges these pressures pose, the opportunities they present and the dangers they imply for academic values will be illustrated before the response of the academy and its regulators, in terms of academic freedom, institutional autonomy and public/democratic accountability is considered. Here, though, it will be helpful first to sketch the pressures that the global market brings to bear on government in relation to higher education.

In a society demanding and requiring urgent transformation, the influence on decision and action exerted by global market forces is first on government which must take a view on them and on the nation's most appropriate response. This paper is no place to comment on the South African democratic government's response to global market forces except in relation to the unequal and divided higher education sector it inherited from the previous regime. Here it is notable that at transition government set its face from the start against an easy way of addressing many of the system's past pathologies: the workings of the market, through the mechanisms of student and staff choice and competitive bidding to sources of research funding – a solution widely resorted to globally over the last two decades, with very mixed results. Many academics (and others) would argue that even in societies where the bulk of the population have disposable income after standard expenditure on necessities, a market in higher education exacerbates existing inequalities and creates new ones. Where many do not have disposable income, as in India or much of South America, analysts have noted that any 'marketising' of higher education, whilst beneficial for GNP in the immediate term, ratchets up social divides.

The introduction of market pressures into national higher education systems began in some affluent societies as a monetarist measure to bring efficiency savings to bear on a supposedly

hitherto protected environment and to reduce demand on public expenditure. In poorer economies that strategy was resorted to as a cost-saving expedient for a fragile and overburdened public purse. Where that move has been adopted there are clear signs of long-term 'market failure' which outweigh any immediate economic gains. In societies where poverty or inequalities in schooling ensure that a majority of the population are excluded from market-competition, the talent loss cannot be nationally sustained over the longer term. This results in damage to the 'development' as well as the 'equity' strategy of any society with serious structural inequalities. No doubt in awareness of that as well as on equity grounds, and in accordance with the goals of transformation, this easy route to change, in which 'the state' passes the buck of responsibility for the steering of higher education to 'the market', was never entertained in South Africa.

In one respect, however, market pressures globally did impact on policy priorities for South African higher education. That was in response to the GEAR priority that economic fundamentals and global confidence should be addressed urgently, with the consequence that a restructured university sector would be required not only to answer skill demands through its teaching but also to align its research effort to a degree with the needs of strategic positioning within a global economy. Enough was said in the last section about the first of those charges on the academy's public accountability. The second is also not without side-effects. We know that "… there is widespread demand that higher education research should align with the priorities of the national economy. This in turn has sparked concerns within higher education that fundamental research may be systematically eroded within the academic sector" (CHE 2004h: 106). In this regard, academics might claim in South Africa, as elsewhere, that such a prioritising of public support and reward for research activity, if taken too far, is damaging to academic freedom. Those claims, as elsewhere, might well cut little ice. However, if the framework developed in this paper has any merit, then academics in South Africa are on much more compelling ground. When they not only insist that any neglect of 'basic research' is damaging simply because it is basic, not least to the applied research which follows, but go on to argue that any neglect of research in the humanities and social sciences damages the substantive democratisation which over time will harness the talents of the whole population, then *they defend research which is not directed at the immediate needs of the economy not on academic freedom grounds but on the grounds of higher education's proper democratic accountability.*

To take that position is to reassert that universities are not simply public organisations (ruled by criteria of management, production targets and instrumentality) but importantly are social institutions (properly governed by conceptions of service: to disciplinary areas, current students and the wider society). The German philosopher Fichte urged that in situations of national reconstruction they serve as an important vehicle to "renew the whole of public life, to stimulate the freedom of the spirit and thereby to bring about the renewal of all human relations" (cited in Neave 2001). That viewpoint has been reasserted strongly elsewhere in recent years in response to the incursions of the market on the academy, with many insisting on the importance of preserving the university's role as a place of free and open debate about a society's critical

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issues and where research that illuminates social problems is performed (e.g. Newman 1996). Some analysts argue that "This was in essence the idea of the modern university, based upon the concept of individual academic freedom but not of institutional autonomy. All efforts of the state concentrated on the protection of individual academic freedom ...[from] ... outside interference" (Amaral & Magalhaes 2003). This framework analysis has sought to refine that position through a *richer understanding of higher education accountability as democratic rather than merely public, making democratic accountability a further buttress for academic freedom, also more richly conceptualised.*

To its great credit, South Africa's democratic government, despite its demands that the academy be economically responsive, has not, to date, taken the path well-documented in Brazil (Chaui 1999; Aricena & Sutz 2005) and Chile (Bernasconi 2005), nor that noted across Europe (Freitag 1996) whereby higher education, through a combination of market pressures and an abdication of government responsibility for effectively mediating them, has retreated from its role in the 1960s and '70s of serving democratic ideals and promoting social mobility. However, that is not the end of the vigilance required to ensure that the academy pursue that role within a globalising world. For governments are by no means the only potential villains of the piece when the evolution of higher education in a market-sensitive context is at stake. The priorities of individual academics, of institutional managements and even of prospective students are also pertinent.

4.2 Market pressure and influence on higher education: academic responses

Market pressures influence higher education institutions externally in many ways, independently of any active steering by government or regulatory bodies. Academics and institutional managers in South Africa as elsewhere often refer to bowing to market pressures as a means of making up the shortfall between subsidy and operating costs. However, there is more than that to 'the rise of the market' and its impact on higher education across the globe in recent years. As noted above, it has also been, in generally affluent societies, about a crumbling of deference to traditional authority, a political assault on institutional cultural autonomy, and a centrist but populist move to wrest increasing control of the production and relative evaluation of knowledge and culture from 'producers' to 'users' and 'consumers'. In poorer societies or those with gross levels of inequality it has been sold under the same banner but has in fact served to further advantage the already advantaged, whilst weakening higher education's social value to its indirect beneficiaries. Even where those changes are not governmentally sponsored, three things ensure that there can be no immunity for higher education from market influence and pressure.

The first is the obvious point that public subsidy provides a level of core funding which, as a proportion of income and operating costs, is inversely proportionate to an institution's international positioning on the scale of 'prestige' in research and postgraduate quality output. This is necessarily so today, when corporate interests are keen to access and invest in academic

research experience and expertise (Slaughter & Leslie 1997). There are consequences for both well-placed and badly-placed institutions with regard to institutional autonomy. Here as so often, South Africa presents a case which cannot be understood by analogy with either of the 'ideal types' of higher education systems in the rich or the poor worlds. In the case of well-placed institutions, they are clearly in a good position to bid for and secure contracts for research and consultancy, whether from public organisations or commercial enterprises nationally or internationally. But it is not clear that, across the system, there are as yet in South Africa fully monitored and cost-recovery vigilant systems for managing this aspect of market activity, whether that is research conducted 'in-house' or entrepreneurial consultancy practice by individual academics. What seems rare, for example, is an awareness that in respect of both in-house research projects and individual consultancy, university departments or individual academics are not only selling their own expertise, nor is that all that funders are paying for. In both cases the producers of work and its funders are, respectively, selling and buying both specific expertise and the guarantee of probable quality that inheres in the status of its 'brand value', with the latter attached not to those who undertake and deliver the work commissioned, but to the institution itself under whose 'label' they operate.

The use here of what academics often see as crass 'market-speak' is deliberate, for this is one of many instances when the best way to 'beat the market' (by controlling its damaging side effects) is to partially join it (by adopting some of its own standard control mechanisms). Institutions can have both instrumental and principled purposes for taking advantage of some of the opportunities for income generation that market conditions offer. Instrumentally, where there is a supportive but otherwise *laissez-faire* approach to externally funded research or consultancy, then academically stronger fields of study or individuals are rewarded and retained. If a principled approach is taken however, though the reward system then reverts from the marketised commercial to the traditional academic (that is, by recognition and academic status rather than cash), there can be greater gains to the institution both in monetary terms and in the service of national transformation. Less obviously, there are also gains for all academics in academic freedom terms. To unpack that involves making use of notions such as 'product' and 'brand' as parameters of consumer/funder choice to throw light on very practical questions like how research and consultancy earnings might maximise the autonomy of institutions.

Clearly, institutions, to protect their brand, must regulate what research or consultancies can be undertaken under their aegis. And they have rights to payment for whatever element of earnings result from 'brand value'. Thus costings of research and consultancy work should reflect not only plant, time and personnel costs but also accrued intellectual capital from other institutional activities and networks, previous work funded from within the institution, and a charge representing the 'insurance guarantee' that comes from the institution's past performance across a range of quite different activities. (Were this standardised by agreement within the system, such realistic costings would imply no market disadvantage to particular institutions.) In the case of in-house research projects, an institution, having allocated personnel, equipment and replacement-staffing costs to the unit conducting the work, would deploy the remaining

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additional income in whatever way it chose. That might be cross-subsidy of teaching or research areas which tend not to attract external funding, bursaries for disadvantaged students, funds for student or staff development, for community involvement, etc. Consultancy by individual academics can be treated analogously.[19]

Not only do so such commercially standard practices, when adapted to academic purposes, give universities a wide exercise of institutional autonomy, they also serve to protect the academic freedoms of areas of study and individual academics who either work in areas not currently of great interest to external funders or who are not yet able to compete in bids for external funding. Moreover, it can also be argued that *those exercises of institutional autonomy are part of the democratic accountability of institutions*. Without them, if commercially-related research simply covers accounting costs, such as buy-out time, overheads and plant, and does not also generate a real profit accruing to the institution, then entrepreneurial universities are no cost-saving on the public purse but, paradoxically, a means by which the public purse subsidises the private sector, or taxpayers subsidise shareholders. And where contract funding comes from the public purse, then in a modern scenario where public subsidy does not cover full operating costs, a realistic price must be paid for expertise. Otherwise the public purse robs Peter, not to pay Paul (which the public purse must often do when funds are tight) but only to pay one of Paul's limbs, short-changing Paul's body in the process. Furthermore, without these standard commercial practices, individual consultancy becomes 'moonlighting', with the consequence that academic freedom is brought into disrepute and loses the popular support on which it increasingly depends in a democratising world.

Much of the above also applies to less well-placed institutions who in South Africa, though they are less likely to be targeted by commercial funders, nonetheless often have special expertise of salience to government and public bodies. They are also in a strong position in bidding for funds from international agencies and foundations and from NGOs. Realistic costings by institutions may be inhibited here by a latent sense that this is either simple redress-funding, a levelling of the system's playing-field on the part of government, or 'aid' on the part of agencies and NGOs. Any such inhibitions seem misplaced. Government and public-body funding for research taps expertise vital to national transformation. And funding in a globalising world, for research or teaching and from any source, can rather be understood as a business investment by funders in the future of a nation with great potential to contribute to the global economy. In this the autonomy of less well placed institutions mirrors those of the better-placed. But in a further respect it does not. It is a part of both the academic freedom and the institutional autonomy of less advantaged universities to seek to mobilise popular support for sufficient additional underpinning from the public purse to prevent one well-known outcome of institutional entrepreneurialism: that the strong get stronger and the weaker get relatively weaker still. That form of systemic 'market failure' damages not only the institutions who start out 'on the back foot' in relation to market pressures but more widely the higher education sector as a whole and its diverse potential benefits to a democratising society.

Space here allows no further comments on 'entrepreneurialism' and its implications for the freedom, autonomy and accountability of the academy. Market-type activity could be categorised as a pressure (and, if controlled, opportunity) coming to higher education *from beyond the academy*. However, many academics in South Africa as elsewhere see 'managerialism', operating *within institutions*, as a greater danger to academic freedom and the core values and activities of universities (Jansen 2003b; Reed 2002). To unpack those charges it is useful to make certain distinctions. Some aspects of what has come to be termed 'managerialism' are unavoidable in a scenario where the public who fund and benefit indirectly from higher education is not coterminous with the class who hitherto have largely staffed and directly benefited from the academy. That, together with all of the new demands on the public purse brought by transformation in South Africa (or in other polities by changed social priorities), ensures a gap between higher education's public subsidy and its operating costs. Thus two forces combine to entail that institutions of higher education do require more effective and transparent management than was often traditionally the case. Public funding demands public accountability to the public as a whole, in the narrow sense of return on investment for publicly endorsed purposes. And shortfalls in funding demand ability to focus on opportunities to secure additional funds whilst retaining the flexibility and the capacity to shift focus as the winds, both of the commercial market and of the details of the public funding settlement, change over time.

Hence efficient and effective management of resources – plant, personnel and time – is essential not only at the top of the institutional hierarchy but at all levels to which decision-making power is delegated. But *management* slides into *managerialism* when managing is confused with leadership and efficiency goals begin to threaten the purposes of the institution and the values and supporting freedoms of academics. At each level of delegated responsibility there is no escaping the tensions between roles that today's twin needs for principled academic leadership and effective resource management create between individuals and indeed within individuals at senior levels. In these matters the freedoms and responsibilities of academics become perhaps their most complex. (Experience elsewhere has shown that those tensions are exacerbated when appointments at the vice-chancellor/principal and pro-vice-chancellor/assistant principal level conflate the two roles, giving priority to presumed ability to manage.)[20] That tends to have damaging repercussions throughout the institution – on academic morale, motivation and practice, without which the purposes of the institution, however 'well-run', cannot be fulfilled. Where this occurs it is hard not to infer either an abdication of academic freedom, a failure to deal with its responsibilities or an infection of academics themselves by a prevailing market ethos and its values. Since headships of universities are typically filled by Councils, then provided that Councils have preponderant representation from Senates and other institutional stakeholder-bodies, academic values, credibility and capacity for intellectual leadership should carry the day in any such appointment. And where there is not such preponderant representation, academics could justly charge that institutional autonomy has been unacceptably infringed.[21]

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Academics are therefore answerable, collectively though not individually, for the leadership of their institutions, just as settled democracies are often charged with 'getting the government they deserve'. In this matter but more significantly at all levels of the institutional hierarchy down to the departmental, the traditional posture of 'Leave me to pursue my intellectual endeavours' seems like either a burying of the head in the sand or a nostalgia for more protected and privileged – and less democratic – days. In this respect the defence of academic freedom from the excesses of managerialism can be argued to lie in the hands of academics themselves, 'managing' in accordance with academic values and priorities. It is within the autonomy of institutions to encourage academic participation in management roles by ensuring that periods of additional responsibility are realistically time-limited, that any 'bonus' for extra responsibility is not rolled forward into academic salary grades (whose credibility depends wholly on their basis in academic performance) or that sabbatical leave is awarded for example for disciplinary re-fuelling. It can be argued that the best bulwark against the spread of managerialism in institutions of higher education is the acceptance by academics that, other than in exceptional circumstances, it is part of their responsibility, to students, to their field of study and to the health of the academic enterprise, to take their turn in shouldering management responsibilities, however unwelcome. The general argument of this analysis would therefore suggest that, *just as it is part of academic freedom's democratic responsibility to co-operate with management, so any academic collusion with the spread of managerialism – including by default or omission – is a failure to protect academic freedoms and an abdication of democratic accountability.*

In addition to entrepreneurialism and managerialism, a third feature of market pressure – competition – needs comment. For it is one of the purposes of markets, and one of the features of entrepreneurialism and managerialism, that they ratchet up competition and tend to depress or drive out activities and values not currently rewarded by the market in question. Here it should be acknowledged that, just as there have always been external pressures on the academy, so competition between institutions and within institutions has always been a feature of academic life. Indeed in these respects, both academic freedom and institutional autonomy have always been double-edged swords. Within institutions, fields of study have always competed for recognition and resources. Procedures for student selection and for academic appointments and promotions are necessarily competitive, since higher education stands at the apex of a nation's education system. Each institution wants the best staff it can secure and each field of study seeks the most promising students it can attract.

In nations which for lengthy periods have had well-functioning welfare states, high standards of schooling across society and a generally egalitarian ethos such that aspirations are not structurally skewed (as in Scandinavian countries until very recently and to a lesser extent the UK until the 1980s), that competition is largely beneficial to the academic enterprise and brings little social injustice. However, in societies where there are deep structural inequalities and wide disparities in schooling provision, and worse still in the South African case where there was also deliberate suppression of the talents of most of the population over generations, that is manifestly not the case. In these latter circumstances, the competitive features which are one of

the inevitable hallmarks of higher education become both interesting and problematic, requiring a creative response and a complex deployment of academic freedom and institutional accountability.

Competition within institutions between fields of study then needs assessment by complex criteria. With aspirations to be in the first rank internationally, coupled with the demands that industry and commerce be well served, the pressure is for internationally fashionable or commercially relevant areas to expand and others to shrink. Those pressures are exacerbated by student demand in an uncertain employment environment. But if the over-riding public requirement, nationally, is that higher education serve substantive democratisation through the empowerment of an informed and critical citizenry, the very areas most liable to shrinkage could be argued to be those with the strongest priority claims. Here is perhaps the most important matter on which academic freedoms (often deployed today 'entrepreneurially') exist, as they have always done, to defend universities as sites of balanced study in all areas. Institutional autonomy within the institution is not limited to support and cross-subsidy, as will be argued below. And beyond the institution it involves proactive and effective pressure on those who steer the academy nationally.

Competition in student and staff recruitment is also complex in its implications. It may be worth noting that in countries such as the US and UK, where the market has to varying degrees been embraced as a means of steering the academy (by invisible and supposedly benign means), corrective effort has gone into methods of trawling for talented but under-qualified prospective students from relatively disadvantaged backgrounds. That is seen as in the institutional and national interests as much as on any social justice grounds. In the South African case it would seem very much in the institutional interest to use its autonomy, and for academics to deploy their academic freedom, to devise student recruitment, acclimatisation and support programmes to tap, across the population, talent which circumstance has masked at standard stage of entry. And where finance is a barrier, bursaries would be an investment not just in individual students but in the institution itself. Section 2 remarked on public investment needed to support this on grounds both of social justice and national investment. The remarks above on realistic institutional returns for the brand value of research and consultancy suggest that well-placed institutions have additional leeway in these respects.

So do they in attracting and retaining the best established and the most promising unestablished academic staff. But this is where strong cautions and caveats come in. The picture sketched there ratchets up competition not only within institutions but between them, with the better-placed able to poach promising students and able staff from the less well-placed. Once again, in settled dispensations there is much to be said for the evolution of 'centres of excellence' on the assumption that there exists a level playing field on which all can compete for entry to them. But in South Africa still today, and for some time in the future, any such assumption would be manifestly false. There has been considerable recent debate in South Africa on the appropriate response to diversity between institutions, with some seeing that as a natural outcome of

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academic processes and others regarding disparities as urgent signals that redress funding is insufficient. Arguably, both positions have some merit but both are incomplete.

Short of ongoing, centralised dirigisme, higher education systems do tend to diversify in disciplinary strengths, student catchments and indeed general status and quality. The problem today is that such diversification is not just the outcome of more-or-less fair competition and personal preference: it is deformed by the 'hidden hand' of the market acting on governments, on institutions, on individual academics and on student choice both of institution and field of study. What individual academics, exercising their academic freedom, and particular institutions, acting autonomously, can do to mitigate this has limits as regards specific remedial action. But they can – and if this framework is persuasive should – refrain from colluding with the market, whether by action or default. They do, however, have a broader and powerful role, as do those who steer the academy externally, in defending its core values which are quite different from the values of the market, and in influencing the social ethos on whose support the spread of market values depends. The next subsection turns to those broader responses to any steering by 'the market' which threatens the academy's constitutive values and basic rationale.

4.3 Limiting 'market failures' in higher education: the part of all role-players in steering

It has already been suggested that if universities are to operate more than reactively in a market-influenced environment, that environment must be taken seriously but also with considerable circumspection. Circumspection is first of all indicated because public universities are only 'quasi-market' players who could neither model themselves on nor compete with true commercial entities. They have neither the capitalisation, the access to venture-capital, the labour-market flexibility, nor the control of core or base-line funds to operate fully commercially.[22] One of their 'invisible hands' is tied: by external steering and regulation and by funding levels which they can seek to influence but cannot control. When acting as 'market-players', as in funded research and consultancy, they have both the market right and the academic duty to demand market returns for their services, to the good of the institution and their core-funders, the public. But when acting as academic agents there are both precautionary and principled reasons for circumspection and caution with respect to market practices or values, whatever the contrary pressures from managerialistic managements. There is no need to dwell on the precautionary reason. With one hand tied in market terms, they are at the mercy of their public and its democratic representatives as well as at the standard commercial mercy of fickle markets. That would be an unsound position even were it not a betrayal of academic values.

The principled reasons for resisting market pressures (without eschewing their occasional benign-within-limits opportunities) follows from the precautionary principle of taking significant threats seriously. Markets are well known to entail market failures, especially when acting on institutions which have other than commercial purposes. Education and certainly higher education are particularly prone to damage by market pressures. That damage is not limited to

upsetting the fair distribution of the social goods and benefits whose delivery is the public function of the academy. More seriously still, such pressures and practices risk damage to the values it represents and hence to the very constitution of the social good which is the academy's core rationale. That academic freedom and institutional autonomy are threatened, to the detriment of academics, is important but is only the start of the matter. What is at stake is the value of the academy itself as site of unconstrained knowledge production, development and dissemination. *In this respect academic freedom and institutional autonomy sometimes need defence from some in the academy – and those who steer it – in the name of the epistemological, cultural and democratic value of higher education.*

On the academy's part, those defences need be no reassertions of privilege and no nostalgia for yesterday's world. Rather, they can follow from astute response to the world as it currently is. There are two aspects to that. One is astute response to the commercial values of the market, another to its democratising impulse. On the first, a sophisticated understanding of markets and particularly of 'market value' serves, perhaps surprisingly, to support the academic freedom and institutional autonomy to maintain and support teaching and research in areas without any apparent commercial advantage. Market sophistication has important consequences for how 'income generation' should be understood by managers. Even in an overtly 'entrepreneurial university', those members of staff and areas of learning not engaged in income generation in any direct and obvious sense are not, as managerialism too readily concludes, financially parasitic on those who are. When research contracts and consultancies are won not only on the basis of specific expertise and track record but also on the prestige and record of the institution, with commercial consumers buying not just products but also brands, then the fact that some areas of study do not attract research funding or consultancy does not mean that they contribute nothing to income generation. Provided academics remain the best at whatever it is they do, they contribute to brand value. Given the complexity of 'value in the market' when the product in question is knowledge and expertise, it would be a simple mistake to see 'core activities' and 'income generation' as threatened by each other in some kind of zero-sum game. In this respect *the threats to academic freedom and institutional autonomy should be more apparent than real, always provided that academics seek involvement in management and its decisions in order to ensure that academic values prevail.*

It is harder to unpack the less noticed fact that part of the influence on higher education of today's market attitudes came initially from a democratising impulse on the part of a public of providers and consumers who are no longer disposed to defer to authority and who expect respect for their choices. From this aspect, the role of a modern university becomes one of responding to changes in its relationship with the general public both respectfully and cautiously. In the 'traditional' university (as in the UK until at least the mid 1960s and possibly in some institutions in pre-democratic South Africa until the 1990s) there was much, hallowed by tradition, which would be hard to defend.[23] The responsive task for academics and institutions in regard to declining public deference is to be ready to change the higher education bathwater without sacrificing the academic baby. For academics and universities are custodians

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of knowledge and culture as well as its producers, renewers and developers. Though they have a *public accountability* duty to respond to the public's democratising impulses as regards certain academic practices and priorities, they have a broader *democratic accountability* duty to preserve core values and purposes even in the face of external pressure, including from the public that they serve. *Here again academic freedom and institutional autonomy serve the discharge of that broader form of accountability.*

This follows from the point stressed earlier that whereas one role of the academy is *to be responsive* to public priorities and individual preference, its defining role is *to construct* the climate of individual value and preference and to *influence* public priorities both indirectly and directly. There is no need to repeat higher education's key role in developing critical cognitive standards in individuals and constructing a vibrant public culture of debate and participation: but this entails that the democratising aspect of quasi-market pressure on higher education, for both good and ill, presents two new tasks. Firstly, for the changing social world which the academy can play a significant role in constructing, public demands oblige it to re-examine what functions and activities are necessary, legitimate or desirable to ensure that the core role and values of higher learning are safeguarded and valorised across the system. Secondly, within that framework, academics may be obliged to ask themselves what emphases should be capitalised on and particularly developed by any given institution. That second proviso implies that, whether we would wish it or not, the logic of market mechanisms is that they drive towards diversity of both kind and quality in any range of 'goods'.

To make that last point is not to endorse either the planned or the *laissez-faire* diversification between institutions within a public system which is sometimes advocated. To say that specific strengths may be capitalised on should never be to ignore the fact that a full disciplinary range of provision is what makes the university a site of learning in which fields of study cross-fertilise each other and hold interdisciplinary and transdisciplinary avenues for knowledge development which are as yet unexplored. That range needs careful protection today simply because cultural democratisation tends to be a one-way street, with current preferences limiting future options if wholly surrendered to or left unmitigated. Because the new reality is not a present crisis but rather an evolving process, any re-evaluation of practices and activities within the academy must keep the long term in view, in respect both of breadth of provision within particular institutions and also with regard to the spectrum of development set in motion across the system by individual choices which are no longer constrained by oppressive fiat. The longer-term task is to construct the practical reality of a new understanding of the relation between universities and civil society in a substantive democracy. *New understandings of academic freedom, institutional autonomy and democratic accountability will be at the heart of that practical reality, with the part of all role-players in steering vital to that task.*

A theme of this section has been that the claimed virtues of markets and quasi-markets in relation to the social good of higher education – their democratic impulse and their leverage on public accountability – are both, necessarily, benign and effective only relative to the levels of

(in)equality in initial socio-economic position and socially-sponsored opportunity across the societies within which those market mechanisms operate. In so far as those levels of inequality are not within the powers of amendment of the academy, then perhaps the greatest contribution that government, as the organ of state which steers the academy externally, can make to maximising the academy's social contribution is through attention to those conditions of structural inequality, most particularly in schooling.

Whilst measures to address that policy area are still working their way through the system, there remains the ongoing matter of levelling the financial playing field on which institutions inevitably compete, in order to obviate the 'market failures' arising from disparities which give additional handicaps to some in market conditions. For gulfs in levels of historically acquired assets risk exacerbating old disparities under today's additional pressures. The absence of parity in such assets, material and cultural, inhibits the ability of those disadvantaged in the past to address the historically-skewed range of provision, to attract and retain productive academics and the research funds which follow them, to compete successfully for qualified students at all levels – in short, to improve their 'brand value' to prospective students, staff and funders alike. In so far as any polity's higher education system is an indispensable public asset, then fiscal prudence alone would require that this gulf between the formerly advantaged and the formerly disadvantaged institutions in the system be closed, even without South Africa's constitutional commitment to the redress of past injustices. Given that higher education is not just one of many sites in which past injustice must be redressed but more importantly is a powerful engine for fuelling the whole process of substantive democratisation, the levelling of the higher education playing field can be argued to come a close second to schooling on the register of national priority.[24]

Two points already made in this paper follow from this and are amenable to action by all role-players in the steering of public higher education. The first of those points is that, despite the fact that higher education is a social good with extensive social benefits, it is also a private good to its individual beneficiaries, giving them personal advantages which militate against a transforming society's equity trajectory by improving the lot of some without necessarily altering structures of inequality. The second point is that a market ethos encourages individuals to value instrumental purposes and the exchange value of learning experiences. Those two tendencies together bring the risk that in selecting between options for learning within the public system of higher education, prospective students will operate with the same criteria of perceived quality and potential market exchange value which has given private provision its market-niche foothold in South Africa today. Were that to occur, disparities within an already diverse system (in terms of resources and status) would deepen, to the detriment of the collective academic enterprise and the process of substantive democratisation.

If those observations are convincing (and they have been empirically borne out in many countries now) they should lend additional force to the analysis developed in section 3, where it was argued that the academy has both principled and strategic interests in defending academic freedom in the

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name of societal democratisation – and the external steerers of the academy have both principled and strategic interests in regarding public accountability in the higher education case as requiring strong support for academic freedom. Those claims have the more force in a modernising market environment if a newly democratic society is to ensure that the incursion of market pressures on a transforming sector stops at the benign stage of reasonable democratisation and welcome additional but non-distorting funding. Provided only that it is recognised that the constitution of higher education 'goods' as well as the manner of their distribution has social consequences, then *it is in the interests of external steerers as much as of the academy itself to defend academic freedom and institutional autonomy.*

It is often remarked that one of history's crueller ironies has been that South Africa finally achieved liberation at a particularly unpropitious moment, when the winds of globalisation were blowing at gale force. However, in respect of market pressures on higher education, one advantage can be garnered from adverse circumstance. Already, globally, there is ample evidence of the damaging consequences that market pressures and practices can bring to the social good of higher education. That suggests that there is a corresponding opportunity for South Africa, with its commitment to the redress of injustice and the progressive reduction of social inequality, to develop an innovative and creative response. Traditionally, the academy's defining role and constitutive values were seen as the proper domain for the exercise of academic freedom and institutional autonomy, with those protections balanced by the public accountability requirement to give a good return on public investment. In a marketising world, that secondary role looms so large that it threatens to eclipse the first. But in the present framework for analysis, developed for the context of South Africa today, the treatment of market pressures in this section tends to support the thrust of the three earlier sections. The upshot would seem that *democratic accountability under modern conditions requires the astute deployment and defence of both academic freedom and institutional autonomy – on the part of all those who play a part in higher education's oversight and development.*

5. Contextualising the discourse of academic freedom, autonomy and accountability

It would be desirable at this point, having outlined the social and political contexts within which debates on academic freedom, institutional autonomy and public accountability take place in South Africa today, to give due attention to the contexts of past practice and discourse which, together with the radical changes which have impacted on the sector since the demise of apartheid, are relevant to the roots of current unease and contestation over the steering of the academy. Moreover, significant developments in higher education systems elsewhere, systems which different voices within the academy may have looked to as models, increase unease about the security of traditional academic values and practices. Thus the hopes and expectations which accompany long-awaited democracy are strained both by local challenges and by international developments.

Space constraints do not permit consideration of local historical understandings, whether stemming from British colonialism, Christian Nationalism or resistance to both, although that would be informative. Also omitted here is proper attention to renewed interest worldwide today in academic freedom, institutional autonomy and public accountability when quite new strains (coming from those pressures for market-relevance and knowledge democratisation) are felt by the academy. So too is analysis of one standard short cut to reconceptualisation: the recourse to international declarations. In times of radical change it is tempting to believe that a short-cut can be taken by turning for guidance to transcending or universalising conceptualisations of academic rights and duties, with contemporary transnational declarations looked to as gold standards (e.g. UNESCO 1998b; AAU 2000; IAU 1998). That move has value, but it is a limited value. Such declarations are welcome as defences against gross violations but cannot serve as substitutes for the building of localised reconceptualisations. For on academic freedom they have the same kind of status in relation to contextualised understandings as does the South African constitution to substantive policy legislation. They are statements of vision, promise and aspiration at a level of generality designed to allow for the contingencies of social circumstance within which any higher education system operates. They are 'fit for purpose' in setting out ideals and boundaries which may not be transgressed. Moreover, though broad in vision, they do vary to some extent depending on the concerns of time and place. Thus the *Kampala Declaration on Intellectual Freedom and Social Responsibility* (see Diouf & Mamdani 1994) securely defended academic freedom and institutional autonomy but at the same time saw these as firmly allied to a democratic responsibility to the nations that a higher education system serves.[25] However, despite their variation according to provenance, they still remain at a level of generality which leaves each society room to flesh them out in specific situations within the boundaries and using the provisos they enshrine.

Whilst there can be no proper consideration of the discursive background, certain particular complexities of higher education circumstance in South Africa in recent times and today should be tabled here – practices and values with possible influence on some of today's debates. To compound the unusual complexity of higher education's past, structurally and experientially,

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unprecedented pressures, hopes and expectations have been brought to higher education in South Africa in recent years – by the demands of transformation and the arrival of democracy at a time when, globally, the academy is experiencing new strains and new threats to its traditional values and practices.

5.1 Structural division, experiential diversity: a background to current debates

Thus the unusual complexity which faces all of those seeking appropriate compacts on academic freedom, institutional autonomy and democratic accountability for South Africa today has two particular backgrounds: the legacy of colonialism and apartheid and the forces of 'modernisation' which, worldwide in recent years, have strained relations between the academy and 'the state' (Altbach 2001). To take the first of those sources initially, it is a truism that the colonial and apartheid history left a legacy of diversity, inequality and division to higher education – and many writers in the later apartheid period noted that the emergence, roles and cultures of universities in South Africa reflect quite directly the history of white political, economic and cultural domination under colonialism and apartheid (Balintulo 1981; Nkomo 1990). Whereas elsewhere universities had always served an elite until the latter half of the twentieth century, in South Africa the elite served had very particular characteristics structured by oligarchic power and was maintained until the end of the apartheid regime. Before the discursive legacy of that particular form of elitism is considered, the factual conditions of diversity, inequality and division should be recalled in summary.

On diversity, the typology of institutions as of 1994 serves as an aetiology of apartheid pathology. Of the twenty-one universities, eleven were originally reserved for 'white' students (perhaps 10% of the *population* age-cohort), four English-medium universities, six Afrikaans-medium and one dedicated to distance education. These remained predominantly 'white', despite some relaxation on admissions in the 1980s. Of the remaining ten universities, six were intended for 'African' students and located in 'bantustans' or self-governing territories and two urban institutions were reserved for 'Coloured' and 'Indian' students. These latter universities admitted larger proportions of 'African' students from the 1980s. Of the fifteen technikons, seven were intended for 'white' students, five for 'African' students and one each was provided for 'Indian' and 'Coloured' students. One distance education institution was designated for 'non-white' students. Comment seems redundant.

On inequality, library shelves could be filled and indeed have been (e.g. Badat 1991; Bunting 1994; Davies 1994; Cooper & Subotzky 2001; CHE 2005a). Racial barriers were accompanied by deep and pervasive inequities, not only in access but in funding, resources, staff-student ratios, appointments and the 'exchange value' of credentials and qualifications. Still in 1997, 'historically disadvantaged' institutions exhibited "considerable institutional underdevelopment characterised by under staffing and under funding, lack of research funds and strategic vision with regard to staff development" (Martin 1997: 2). Claims to 'academic freedom' notwithstanding (famously Davie 1950, 1955 and the lecture series instituted in his memory in 1964), inequality under

colonialism and apartheid extended even to the content of curricula and to pedagogy. English-language universities reflected western (largely British) practice and (often rather dated) content; Afrikaans-medium institutions reflected the apartheid concept of a *volksuniversiteit* characterised by conformity, the authority of the teacher and a passive learner role, whilst 'African' universities had very restricted provision in science and engineering and in other areas a dilute version of Afrikaans-medium content and method (Davies 1994).[26]

On division, eight different government departments provided and regulated what could scarcely be termed a higher education 'system', with co-ordination between them not even on the agenda. Little need be said about the resulting tensions, resentments, guilt or attributions of inferiority or superiority nor about the accompanying protest and growing unrest from many quarters both inside and outwith apartheid South Africa. That protest within South Africa was very uneven until the 1980s. Whilst the English-medium 'liberal' or 'open' universities often saw themselves as 'normal' universities operating under adverse political circumstances, that narrative masks an inevitable degree of collusion with the apartheid state (for example, the University of Cape Town website declares that "the period 1960-1990 was marked by sustained opposition to apartheid" and the University of the Witwatersrand website lays claim to "a firm, consistent and vigorous stand against apartheid"). In that regard, present claims to a newly threatened institutional autonomy notwithstanding, not only were admissions state-controlled at the supposed racial-group level, but ethos and practice often evidenced the racism of the state ideology, as retrospective staff and student accounts sometimes attest, despite official institutional histories. The publication of papers from a symposium on "The Critical Tradition at Rhodes University" contains memoirs of the 1960s and '70s which, whilst not explicitly examining institutional autonomy, reflect a university world of closed and narrow thought and experience (with notable protests and exceptions) and a story of management collusion with the apartheid state (Satchwell 2005; Streek 2005; Webster 2005). According to recent retrospective reports, that seems to have persisted, with increasing staff and student protest, through the 1980s (Pillay 2005), despite the fact that the institution's Academic Freedom Committee had in 1983 insisted on its commitment to "access to the university without regard to creed or colour".

Those reports of personal experience must be balanced by the well-known fact that there was considerable resistance from the 1960s onwards, of two principal sorts. The opposition and political activism of variable numbers of staff and students at 'white' institutions, often with severe consequences for those individuals, was a countervailing force. Perhaps even more so was the unintended function of 'black' institutions as effective sites of political education and resistance, a function which grew in the 1960s with the breakaway establishment of the South African Students' Organisation (SASO), a black students' organisation, from the National Union of South African Students (NUSAS), reaching a crescendo in the 1980s (Badat 1999). That mixed picture of collusion and resistance, variable across the sector, was detailed in a report on *Higher Education and Social Transformation* (Reddy, CHE 2004b) and recently recalled by the ex-minister in a lecture in which he heralded a renewed vision of academic freedom and institutional autonomy (Asmal 2005).

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Hence over a long historical period ending little more than a decade ago, academic freedom, though defended and cherished by academics, could be exercised only within approved limits, with severe sanction when these were seen to be transgressed. Institutional autonomy too was more apparent than real, since higher education's inevitable social reproduction function was over-determined by the state within the apartheid structure. In compensation, there was apparent autonomy in the academy's other functions at the ten universities reserved for 'whites'. Funded by block grants allocated retrospectively for student numbers and research, with almost total internal freedom on how the block grant was spent, they continued into the 1990s to operate with some of the latitude in teaching and research decisions which had ebbed in well-funded institutions in polities elsewhere – on the tide of the modernisation and democratisation which began to advance in the 1960s. However, in the six 'bantustan' and self-governing territory universities, whose budgets were part of the financing of the civil service, there had always been state controls on appointments and curricula. And technikons operated under nationally controlled curricula and admissions policies, with minimal scope for either academic freedom or institutional autonomy. Across this very diverse provision there were few formal, structured demands for public accountability since there was little need of those so long as provision, in its very diverse and unequal parts, was fulfilling its purpose.

For example there was no state demand for external systemic quality assurance. There could not be, since there was no 'system'. Nor could there be public demand for public/democratic accountability since there was no democracy and the majority of the public had no effective voice. Privileged institutions were funded by formula, with approximately 15% of subsidy allocated to support research and no checks on how research funding was spent. Assessments of teaching and research quality were delegated entirely to academic peer review, as had been the case in well-funded institutions elsewhere when wholesale deference to academic authority in what counted as 'really useful knowledge' had still been the order of the day. In under-funded and under-staffed institutions designed for the excluded, quality assurance was not of great concern to the regime, perhaps because provision itself was intended both to reproduce a hierarchy of privilege within the nation and to appease protest from beyond its borders. Thus, although the National Commission on Higher Education described the pre-democracy regime for South African higher education as one of 'state interference' (NCHE 1996: 176), it might be more accurately described as *laissez-faire* within carefully pre-constructed boundaries – boundaries manifestly unjust and designed to perpetuate oppression and contain (with decreasing success) limited protest. It would be very surprising if this legacy of diversity, inequality and division did not give rise to a plurality of understandings about what constitutes 'normal academic practice' and a range of expectations about future relations with government within a democratic state.

To add to this volatile mix, the demise of apartheid opened South Africa's higher education sector not only to much needed reforms in the name of political and social democratisation but also to the winds of change which for several decades had brought knowledge democratisation to higher education in open societies (not with entirely beneficial consequences). Section 4 commented on the pressures, opportunities and influences of 'the market' on the academy and

all who steer its development.[27] Here, the accompanying trend away from 'elitism' in higher education needs comment. As so often, that term itself needs treating with circumspection. The formerly advantaged universities in South Africa tended in the past to think of themselves as elite institutions modelled on the elite institutions of the North. Indeed the whole of South Africa's higher education sector immediately after the transition to democracy, enrolling as it did some 12-15% of the population (depending on what counted as participation for statistical purposes), was sometimes locally referred to on that numerical basis as an 'elite' system analogous, say, to that of the UK thirty years ago. An allied assumption by some was that the institutional governance and conditions of service which academics in privileged institutions enjoyed in South Africa hitherto might be what a well-run and adequately-funded system would aspire to for the future, resources permitting, provided only that relations between the sector and the state were normalised and historically-generated inequalities in access were effectively addressed. That misconception overlooked important particular features of the pre-democratic system in South Africa and consequently underestimated the normal democratic controls which today are considered properly exercised over higher education in modern democracies, irrespective of fiscal constraints on sectoral funding levels.

For just as the apartheid state was not a limited democracy from which some – the majority – were excluded, but an oligarchy, so the higher education system it sustained was not an 'elite' system in the sense in which that term has been used in the global debate (including debates about 'massification' – the merits and demerits of system expansion for national competitive advantage in the global economy). In the global debates over decades now, an 'elite' higher education system is one in which there is democratic endorsement and extensive, but not total, public funding for the social promotion of those at the apex of schooling achievement *in an open but competitive national system, both of schooling and of higher education.* Whilst it is true that much of the affluent world has moved from so-called 'elite' to 'mass' provision in recent decades, with age participation rates doubling or trebling, that shift represents not the sudden advent of democracy and inclusivity but simply a move from 'sponsored mobility' to 'contest mobility': a change which shifts the social competition for individual opportunity from schooling outcomes at entrance to higher education, to performance in a deregulated labour market on exit from it.[28] Thus, whilst Britain before the 1960s, for example, with an age-participation of 5-6% might be deemed an 'elite' system, it does not follow that any low age-participation rate system is an elite system in the same sense, that is to say ripe for reform primarily because it promotes too small a proportion of the population after open competition – and in the South African case, too exclusionary a constituency of competitors.

This point is not made to observe, redundantly, that there is a world of difference between a self-perpetuating oligarchy and a sponsored-mobility democracy, despite the latter's shortcomings in terms of real equality of opportunity. But it may serve to highlight the fact that the apartheid regime did not just 'stop the clock' of social development: it left a legacy of social practices and institutions deeply undemocratic in their constitution as well as their distribution. The distinction between democratically endorsed and publicly-funded *sponsored-mobility*

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academic elitism (with its many defects widely discussed in an extensive literature), and the perpetuation-of-privilege political elitism represented by the transmission through higher education of socio-economic and political privilege for a minority oligarchy defined by 'race' has real implications. It does not simply validate demands for democratic inclusivity and social justice: it also suggests that a system distinguished, not by the unsurprising fact that it served merely 12-15% of the population, but by the alarming statistic that it served almost 60% of the 'in' group and only 5% of the 'out' group (thus reproducing *a socio-economic rather than an intellectual elite*), exhibited, not surprisingly, relations between the state and the academy which reflect oligarchic privilege rather than democratic accountability.

Thus under oligarchy, university entry was a normal expectation for the 'in' group, given adequate school-leaving performance, with 'adequate' set at a level achievable by a majority of the privileged group, who had a virtual monopoly on adequate schooling. Choice of institution and subject area also followed privilege and predilection rather than competition between all citizens for access to subsidy in democratically endorsed fields of study. A restrictive labour market protected the cohort of graduates in that scenario from the personal problems of skill over-supply and the social problems of skill under-supply which normally act as self-correcting mechanisms to privileged free choice of institution and field of study, provided only that basic entry levels are met. (In those contemporary systems which remain ostensibly *laissez-faire* through marketisation, the hidden regulation of the market, within and beyond the academy, serves as a brake on the unconstrained choices both of those who wish to provide fields of study and of those seeking access to them. In systems which are still heavily publicly subsidised and hence publicly regulated, there is fierce competition both to provide and to access particular areas of study.)

Such pressures, and the constraints they bring to freedom of choice in the academy, may be experienced as unacceptable threats to academic freedom if they have not been slowly adjusted to over a lengthy period. For the academy in South Africa, accommodations with changed circumstance represent an abrupt rupture with the past. And even when ruptures are politically welcomed, some of their unanticipated side-effects are painful. Thus under the old apartheid scenario of state-sponsored political elitism, privileged institutions could develop in response to demand from their designated constituency, subsidy-funded by formula from a public purse controlled by the minority group whose interests the system was designed to serve. Formula-funding covered the full salary costs of academic staff, with that community again drawn largely from the privileged minority and thus constituting a six-fold greater proportion of the available population pool than in former 'elite' systems in settled democracies. As noted, all academics in privileged universities were supported by formula funding to engage in research and scholarly activity as well as to teach, irrespective of track record in research output. In such a scenario, institutions perceived themselves as duly autonomous in academic provision and practice, academics were apt to understand 'academic freedom' as requiring public funding for research time under the sole control of the academy and 'curiosity-driven', and freedom of choice for students was predicated on expectations that chosen paths to personal development for the privileged axiomatically merited public funding. In sum, the compact between the academy and

the state gave maximal autonomy to the privileged academy in academic affairs on the political assumption that this would serve the reproduction of a stable status quo and not compromise the state's political project. Those expectations were not unlike the assumptions of many academics in the affluent West, prior to the late 1960s.

It must be strongly emphasised that all of the points made there apply strictly and exclusively to formal, structural relations between the state and the academy (and the latter paragraphs, still with that proviso, only to its privileged universities). Within that oppressive political structure it is notable that personal agency ensured that committed teaching and research took place widely, and political dissent played an important role which gained increasing momentum over time, more concertedly in certain institutions. Nonetheless, some aspects of the legacy of those formal, structural relations which came to an end well into the careers of many who lead and staff today's higher education system remain to haunt the current debate on what should count as a justifiable compact between a modern, democratic state and its institutions of higher education – a debate which gathered momentum at the moment of democratisation.

In the early years of democracy it seemed to this observer that academics across the spectrum of higher education provision in South Africa entertained high hopes for increased academic freedom and institutional autonomy under democracy – hopes which stemmed from their very different experiences of the past. Many of the progressive academics who had formerly been privileged had expectations that their former freedoms of what and how they taught and researched would be fully extended to who they could teach and with whom they could collaborate in an inclusive, globally accepted, democracy. Most in the formerly privileged parts of the sector entertained high hopes that higher education over time would be progressively opened equally to the talents and aptitudes of the whole population, but some, even of those, expected that in academic freedom terms it would nonetheless essentially be 'business as usual'. (Although some anticipated a degree of the 'massification' which had taken place in affluent societies.) And many of the academics who had formerly been unprivileged anticipated that the freedoms the privileged had enjoyed under oligarchy would now at last be extended to them under democracy, with sufficient redress funding to enable them to deploy those freedoms fully, now to the benefit of all. (Some also looked forward to an 'Africanisation' of curricular areas in teaching and a localisation of research priorities in order to address urgent social needs (see subsection 5.2).)

At risk of over-generalising for brevity's sake, it could be roughly claimed that all anticipated that public accountability would now be transparent and to all of the public, rather than latent and only to an oppressive political minority. That accountability would be for non-corrupt use of public funds and for assisting the speedy breaking down of apartheid's structures of 'racial' hierarchy. Those forms of public accountability would not require any radical rethink of the proper scope and limits of academic freedom, traditionally understood, and would present no threats to institutional autonomy except in cases of refusal to co-operate with the demands of system reform or in instances of blatant mismanagement. Few, it seemed to this writer, fully

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anticipated that democratic accountability in a 'modernised' higher education system would extend far beyond traditional parameters of mere public accounting and into scrutiny, on the public's behalf and in the name of system coherence as well as perceived national needs, into what was taught, where and how, as well as into what research activity would be publicly supported and how that would be monitored. Those extended demands for public accountability would ring alarm bells about their implications for accepted understandings of academic freedom and institutional autonomy. At first they seemed like threats to the high hopes for the extension of freedom and autonomy which the end of oppression was expected to bring – to the academy as well as to society in general.[29] As time has gone forward, however, those initial expectations have speedily become refined and nuanced by experience and have given rise to a present debate of increasing richness and sophistication.

From the moment of transition though, additional pressures were placed on the academy which would necessarily lead to tensions during a period of adjustment. To an already over-rich mix of understandings, expectations and pressures must be added the whirlwind of reforms visited on higher education in South Africa in recent years. Response to these has been further complicated by new developments in higher education internationally. This section will therefore close with some observations on the diverse hopes and expectations which reflect those developments, and on the challenges and opportunities they bring for a reconceptualisation of academic freedom, institutional autonomy and public/democratic accountability.

5.2 Higher education transformation: pressures, hopes and expectations

All institutions and all social practices experience stress and policy-initiative fatigue in times of change (a fact on which loss of morale in the public sector has been blamed where quasi-market conditions have been introduced in the name of boosting efficiency and transferring power from producers of social goods to their users). But in this respect the stresses on South African higher education over a fifteen-year period have been possibly unprecedented. Not only did the advent of democracy and the trajectories of transformation present challenging demands in the form of consultations for policy development and then in changes of practice required by policy implementation – those demands were the more exacting as they were experienced in a sector which hitherto had been centrally steered in a 'hands-off' manner, other than structurally. Those former conditions had entailed an unusual degree of stasis which had kept the normal currents of change at bay. These two factors together make a decade of radical change doubly pertinent to understanding the background to current unease and to subsequent concerted attention to the governance of the higher education sector (CHE 2002b; CHE 2003a; CHET 2005) and now to how relations between academic freedom, institutional autonomy and public accountability might be understood for the future. The list of policy initiatives prepared in 2004 by the CHE extends to an eye-watering twelve pages (CHE 2004h: Appendix 1), and subsequent years have seen a relentless productivity in steering and guidance, particularly in the area of quality assurance of various kinds.

The scenery began to shift some fifteen years ago when democracy was clearly visible on the horizon. From the civil society initiatives of NEPI beginning in 1990 (NEPI 2003), through the NCHE in 1995 and '96 (NCHE 1996) whose work led to a Green Paper, then the *White Paper* on higher education transformation (DoE 1997) and finally the *Higher Education Act* of 1997, the broad transformation goals from which no democrat could dissent (albeit with debate over particular interpretations) were progressively firmed up. But it was only from 1997 onwards that the change process began to impact on the sector in substance. In 1998 the CHE was set up by the Ministry of Education with the support of the sector, to advise both proactively and retrospectively on policy and its consequences, to bring stakeholders together for consultation and to facilitate debate and publication on higher education development.[30] The latent unease of some stakeholders was soon given purchase, first by amendments to the 1997 Act in 1999 and 2000 (and again in 2001, 2003 and 2004, fuelling fears that the level of government involvement was threatening institutional autonomy) and then by the sectoral restructuring foreshadowed by the 'Size and Shape' consultation for the policy advice report *Towards a New Higher Education Landscape* (CHE 2000). The National Plan for Higher Education (NPHE, MoE 2001a) gave teeth to the *Higher Education Act* through goals and targets for institutions. When the lengthy 'size and shape' consultations culminated at the end of 2002 in the Ministerial Regulations *Restructuring of the Institutional Landscape*, which announced the decision to reduce thirty-six institutions to twenty-two by mergers, abolishing the binary divide and resulting in a new sectoral mix of universities, universities of technology and comprehensive institutions, such radical upheaval in the sector could not but leave a certain amount of blood on the floor, even when recognised as necessary in principle.

The following year *The New Funding Framework* (MoE 2003c) was published, requiring institutions to review their policies and practices in order to maximise subsidy funding. Meanwhile, there had been requests from the Ministry that they submit their 'Programme and Qualification Mix(es)' for review, whilst at the same time the Higher Education Quality Committee (HEQC) was getting into its stride, consulting in 2002 on programme accreditation and institutional audits and putting in place a framework for the implementation of the quality assurance system. The CHE was seeking to move implementation forward throughout the same year by issuing policy reports on co-operative governance, distance education and research quality assurance (all CHE 2002). Little wonder that the sector was reeling under the impact of change, despite its recognition that change was essential, though resistance was reported in particular instances (Balintulo 2002). Little wonder either that in the four years till the present, the further extrapolations of policy implementation have continued to add fuel to a growing debate about when intervention becomes interference (with particular concerns, among others, regarding the role of Councils, the PQM, and any centralising of admission applications), and about what the implications might be for academic freedom, institutional autonomy and the public accountability of the academy. It was this situation which led the CHE, in its role as statutory body charged with advising on and monitoring higher education's development and contribution to democracy, to announce the formation of an independent Task Team to investigate those matters (CHE 2005a) and report in 2007 after research, stakeholder consultation and due deliberation.

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However, that whirlwind of change and the consequent understandable unease about relations between the academy and those who steer it cannot be tabled without stressing that the resulting debates on academic freedom, institutional autonomy and public accountability have run in parallel with strenuous efforts on the part of institutions and individuals to advance the broad range of transformation measures brought in by radical change. Their efforts have often gone beyond the adjustments required and have prompted proactive initiatives in both institutional practice and policy consultation. For a good number of individuals and many institutions, in parallel with debate (and an underlying disquiet fuelled by fears of ever-increasing intervention), and beyond constructive compliance with demands for greater accountability, there has been a re-examination of old understandings of academic freedom and institutional autonomy – some with conceptions of proactive academic duties to the democratisation process not unlike those developed through this framework for analysis. In times of great change, the proactive response is to look beyond current demands towards practice elsewhere in order to access new opportunities and to second-guess perceived threats which might come over the horizon. In this respect, South African higher education was particularly well placed, having long aspired to internationalism in the days of oppression. When the sector was opened to the world by the advent of democracy, the divisions of the past and the rich diversity of possibilities for the future ensured that there were many directions in which to look, both for models and for warnings. Some voices within the academy looked to Africa, some to nations dubbed 'emerging markets' such as India and countries of South America, some to systems of the affluent 'West', some to combinations of groupings.

When the long struggle against colonialism and apartheid came to an end at last, many voices within the sector quite naturally looked north to the rest of the continent. Given the vastness and variety of the African continent, not simply geographically but in its political and higher education histories, settlements and developments, some warned that South Africa might be vulnerable to the problems of countries in "the third wave of democracies" (Habib & Schultz-Herzenberg 2005) where national priorities had been hijacked by international economic interests. The implications for higher education of any such latent worries lent resistance to any signs of an over-prioritising of economic interests in teaching and research. But more extensive interest was given to the richness of possibility offered by being an African nation, and especially to questions of the 'Africanisation' of academic curricula and ethos. This was urged as being a normal though belated development for universities not just located in Africa, but also provided by and for the citizens of an African country – with 'African' there not denoting racial designation but rather committed allegiance. There had long been a concern among many academics, in different types of institutions, that the colonial and apartheid ethos had fossilised an unacceptable Eurocentrism (more often, in fact, either an anglo- or germano-centrism in the formerly privileged institutions) which had claimed ownership of 'really worthwhile knowledge' – claims which ignored the ontology, cultural histories and experience of most of South Africa's population (histories often carried in indigenous languages, themselves nowhere used as media of instruction in higher education in the past, or indeed the present). That narrow Eurocentrism had ignored the truistic point made at the start of section 4: that higher education cannot be a

parochial affair and has always depended on enrichment and revitalisation from the knowledge of others – others whose ontologies, cosmologies and metaphysical understandings prompt questioning of the locally taken-for-granted and so develop the international store of human understanding. This point is well made by Adesina when he describes the dual role of a 'national university' as "seeking relevance in its locale without disconnecting from the universal idea of a university, as an academe" (Adesina 2005: 26).

Immediately after democratisation, the 'West' was initially looked to for examples of structural reform, with the result that "Perhaps the most common problem [was] the persistent and facile practice of "merely applying" Western constructs within African contexts" (Jansen 2005: 173). Perhaps in reaction, some initial claims for the place in higher education of 'indigenous knowledge' may have been over-extended and these were duly criticised, with warnings that "… in parts of Africa there is beginning to develop a sense of African-centredness that borders on some extreme notion that within the continent there is an indigenous cultural and intellectual essence that waits to be discovered through the facility of the African Renaissance or some latter-day negritude scholarship" (*ibid.*). To meet those demands uncritically would have been to exchange one form of parochialism for another, but to conflate them with considered 'Africanisation' would be an even bigger mistake. For although there are indeed no discrete alternative modes of enquiry and understanding from which we can select according to cultural preference, on the other hand there are no modes of enquiry or understanding, and certainly no protected curricular canons, with the special status of reifiable entities independent of their context and history.[31] In the humanities and social sciences in particular, to access previously neglected or ignored ontologies, metaphysical systems, cultural histories and understandings is not simply a matter of overdue respect for a nation's – or a continent's – people. Indeed it would be academically perverse not to welcome the opportunity to share and develop a store of knowledge and understanding which could not only enrich the academy in South Africa but might well become one of its most important global contributions.

To take only three examples, 'European' social anthropology recognised more than a generation ago the untenability of sailing in from afar to study distant peoples and now tends to focus on the local in which, though values and styles of life may differ, at least basic ontologies are shared between 'subjects' and researchers. Why then would a social anthropologist, based in a country in Africa and enjoying academic freedom over curriculum content, not share the work of distinguished anthropologists on the same continent (see Bakare-Yusuf 2004)? Sociologists, too, understand today that theoretical universalism is a chimera. Why then would sociologists with similar academic freedoms, particularly in institutions within Southern Africa, not take full advantage of the body of sociological work developed since the end of colonialism in the universities especially of West and East Africa (see Mafeje 1995)? And since historians the world over now see history as not just the actions of 'great men' but the experiences of peoples, why would a historian based in Africa not extend their interest to the collective memories of a continent as set down by its own chroniclers or as evidenced in its songs and stories? (It scarcely needs stating that this implies no exclusivity or even preponderance of focus in particular cases.)

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Many have seen that here are rich fields for teaching and research, and rich avenues for the deployment of academic freedom to revise and enrich existing stores of academic knowledge and to disseminate richer understandings both locally and internationally. Academic freedom put to this use serves both the academic constitutive purpose of deepening and broadening human knowledge and at the same time higher education's social purpose of respecting and reflecting the values of its environment and peoples. That reflection and respect are also contributions to substantive democratisation through a re-energising of national cultural self-esteem, to the empowerment of all citizens. Many have also noted that those disciplinary enrichments would also inevitably have beneficial effects on the ethos of institutions, potentiating the inclusionary reforms which are part of the academy's democratic accountability in the transformation context. Thus: "Proudly affirming our African identity requires that we add to our scholarship … a desire to engage with the ideographical discourses of our locale and get our students not only reading ourselves but becoming familiar with a huge body of African scholarship. The alternative is to offer alienating education to those that a Eurocentric discourse offers no immediate affinity" (Adesina 2005: 33).

It might be added that a further opportunity for a deployment of academic freedom which both maximises the potential of locale and strengthens the South African academy's international contribution lies beyond the humanities and social sciences and in the physical and bio-medical sciences and in engineering. Whether in teaching or even more in research, the medical and infrastructural problems of the formerly excluded are problems shared by at least half of the world's population. Thus a focus on locally prevalent health problems, on sustainable agricultural methods or on innovative construction methods for affordable housing, say, is no retreat from cutting-edge international research. In its traditional interpretation, that tends to attract external funding for work which is currently internationally prized. But there is more to what it means to be 'cutting-edge' or 'international' than that. Not only are the fruits of locally-motivated research eminently exportable, with application to the lives of half of humanity: the history of the growth of knowledge and technology shows us that basic scientific understandings are often taken forward by insights which come from particular applications. (It would be tedious to list some of these, which could include the development of computing from the need to crack a single wartime code in an English army shed, and the human genome project growing out of early attempts to improve crop yields.)

The desire to transcend Eurocentrism has led academics in South Africa also to look, in different epochs, to the systems of South American countries, the former 'Eastern bloc' or the Indian subcontinent. Thus in the 1960s and '70s, South American theory and practice, with its view of education as liberation and of higher education as site of political education, activism and service to the people was an attractive model for many. So too, then, were some of the systems of the former Eastern bloc. In the latter case the fact that non-democratic statist control, however much admired in some of its features, is soon swept away by regime change, has removed the attraction of those models. A rather different loss of faith in South American models has come from the sweeping away of much of the liberation ethos by the forces of the market. The

warning of those reverses is that, in societies where most are poor but some are relatively very privileged, a higher education system not carefully steered by transparent public negotiation risks the scenario noted in section 2: that the private gains obtainable from higher learning can trump its public benefits. Interest by some in the Indian higher education experience tends to offer both models and warnings. As an 'emerging market', India is sometimes seen to have economic parallels with South Africa which might prompt interest in its chosen path for the development of higher education. That nation's strong growth rate, fuelled by an impressive output of graduates from universities strongly steered in recent years towards the demands of the global economy, with 100 000 graduates annually in computer science alone, is evidence that a country's higher education system is fundamental to achieving the goals its leaders have prioritised. However, economic growth is not the first priority endorsed by the citizens of the new South Africa, nor by its leaders to date except in so far as growth is the means to propel structural change and substantive democratisation. And despite India's proud claim to have remained a democracy for sixty years now, delivering higher living standards to tens of millions, her poorest of the poor, still a large proportion of the population, continue to await the fruits that democracy promises to deliver to all. Having struggled so long to win formal democracy, South Africa's people cannot wait a further two or three generations to enjoy the rewards of substantive democratisation. Moreover the global economy itself today does not favour countries threatened by the unrest which popular disappointment must bring.

When the world beyond South Africa is looked to for models of academic funding, structuring and governance, it is often the long-established higher education systems of the affluent West that are examined. What looks promising and enviable in those systems is their relative stability, their efficient functioning, their decent facilities and their flourishing national and international networks. There, academic freedom to teach and research is secure in the sense that now as for certainly two centuries (except during the period when some countries were overtaken by the fascisms of the mid-20th century), nothing is proscribed. However, not everything by any means is publicly funded – and almost everything is monitored and evaluated. Institutional autonomy is also secure, but only within the limits of financial viability. And those limits depend not only on astute response to market pressures: they also depend on compliance with admission-levels in various study areas and on performance and productivity in both teaching and research.

Thus academic freedom is secure but in teaching must often be funded by cross-subsidy or direct income generation from the activity itself. In research, academic freedom is also secure but where that research is curiosity- or enthusiasm-driven it must often be bought at the price either of considerable personal sacrifice or of placing additional burdens on colleagues.[32] Those who look to 'the West' for models or warnings thus see that systems designed to deliver greater public accountability also place considerable burdens on academic time and often cut down room for manoeuvre in research focus. They also see that the opening up of the academy to greater numbers of students who bring market-influenced pressures (to devise courses in areas with apparent relevance to their later envisaged economic activity) brings a loss of deference and status which is reflected in a steady decline in relative levels of remuneration for academics.

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They see, too, an ageing academic body concerned about the recruitment of talented new academics and their retention, especially in the sciences. In short, they see the disadvantages as well as the undoubted benefits of the democratisation and 'modernisation' of the academy. Above all, they see the workings not just of the market but of "the evaluative state" (Neave 1988a) and even of a transnational performance-monitoring bureaucracy (Jansen 2005).

Few would dispute that systems of quality assurance are essential. Indeed quality assurance was first raised in the 1980s in South Africa by the then Committee of University Principals, concerned about great variability of standards across the (non-) system. When the NCHE looked into quality issues it concluded that a co-ordinated system was needed to replace the self–evaluation of the past, leading to the National Qualifications Framework (NQF) and the establishment of the HEQC. In the affluent 'West' external quality assurance systems have been in place for approximately twenty-five years now and whilst their advantages are accepted, their disadvantages have also become well-known.[33] So too has the tendency of their bureaucracies to ever-extend their reach (Neave 1988b; Power 1999). It would not be surprising if resulting disquiet, felt in places now used to the pressures of apparently ever-expanding public demands for evaluation, struck a chord with academics who are newly experiencing greater demands for their activities to be public monitored. However in this, as in the case of market pressures on and within the academy, it could be argued that South African academics, and those charged with monitoring their performance, are well placed in coming a little late to the scene. For they have the advantage of seeing the mistakes made elsewhere, often with honourable intentions.

For example, in the new higher education scenario in South Africa "The Parliamentary mandate of the NRF requires it to distribute funding within focus areas that reflect the development, equity and capacity-building priorities of the state, and to this extent it is responsible for a degree of 'engineering' of higher education research priorities" (CHE 2004h: 111). It would not be surprising if facts such as that were to elicit two quite reasonable responses. For South Africa's academics are well aware that a degree of "engineering" of higher education is globally quite standard – and tailored to what is considered the public good in different polities – but they are also very conscious that there are many examples across the globe of how particular public objectives can be pursued and that few are without at least some regrettable impact on academic purposes and values. Some steering mechanisms, particularly in their detail, are clearly damaging anywhere. Others would be damaging for the particular social changes that South Africa seeks and that its higher education should be 'engineered' to promote. It seems inevitable that two factors in combination would ensure that the challenges which have faced academics and higher education institutions in South Africa over the past decade should prompt concerns about the steering of the academy. Though long-awaited, democracy brought not only the demands of transformation but also a greater exposure to two or three decades of international trends in higher education – trends for both good and ill.

However, those twin challenges have also presented South Africa's higher education system with an unusual opportunity, thanks to the country's history of looking outwards during the

long decades of oppression and to its determination that under a new democracy public affairs should proceed by reason and negotiation. The fact that increasing demands for public accountability have not crept up on the nation's higher education system imperceptibly over time, but developed transparently as part of still-recent democratisation, has set in train a new and welcome debate on how and how far the academy should be steered. It has opened an agenda for all interested parties to take forward debate on the implications that changed circumstances bring for our understandings of academic freedom, institutional autonomy and democratic accountability. To have such an open debate without decades of accumulated baggage, which at the time either received insufficient academic scrutiny or saw disquiet met with scant response from governments, is something that academics elsewhere would envy. In this as in much else, the higher education system in South Africa may well develop qualities that serve as a beacon for practice elsewhere, not least in the affluent 'West'.

That opportunity is further strengthened by the fact that the academy in South Africa has long looked in many directions for examples of good and bad practice, in research, teaching and ethos. However, when today the academy in South Africa looks outwards to the varied practice of others in the steering of the academy (and to the conceptions of academic freedom, institutional autonomy and public accountability that those practices imply), although a diversity of trajectories for the development of higher education and its values is visible, there are commonalities too. For despite that diversity, an underlying trend towards steering by 'the market' can be discerned. Enough was said in section 4 about the incompatibility of that trend not only with many of the constitutive values and practices of the academy but with transformation's over-riding goal of substantive democratisation shared between all of its citizens. If those arguments have merit, then steering by the market, whether acting on government from outside as in India, through government embrace of the market from within as in the US and UK, or through the wishes of the more advantaged of the population, as in parts of South America, could not be presented as a viable option for South Africa, even without the promises of its Constitution, the commitment of its government and the desires of the vast majority of its people, who since the demise of apartheid have determinedly held to more rational and openly negotiated means of fashioning the future.

So if not by 'the market', nor by 'the state' as a controlling unitary entity (as in closed societies or the limited democracies of history), then there seems only one further possibility. That is the multi-faceted approach envisaged in South Africa's Constitution, whereby diverse organs of state – government (executive and legislature), the bureaucracy, the academy itself and its statutory body – co-operate over time to negotiate transparently the manner in which the academy should be steered. The direction, of course, is up to the people, who delegate power to political representatives that they the people have the ultimate power to appoint and dismiss. But the manner in which that direction is pursued is within the power of the organs of state who, in South Africa thanks to its long preparation for democratisation, are particularly well placed collaboratively to negotiate re-examined conceptions of academic freedom, institutional autonomy and democratic accountability.

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It has been stressed in this analysis that in any such negotiations the academy is in a particularly strong position. Not only can it make its voice heard to policy-makers through the intermediary of its statutory body: more importantly, it can influence government twice over again through its contribution to building a critical and informed citizenry and its power to inform the climate of constructive public debate. In those latter two tasks it is particularly fortunate in having a reservoir of varied experiences, understandings, hopes and expectations, together with today's new freedom not just to explore these intellectually, but to share them collegially with all other academics in the sector and to offer them to the critical intelligence of students drawn from across the whole population. This section began by focusing on the challenges presented by the divisions of the past. It should be ended by stressing the opportunities that diversity presents for the future. In the context of the research undertaken for this paper, those opportunities seem particularly rich in the matter of building conceptions of academic freedom, institutional autonomy and democratic accountability in a higher education system which has the unusual opportunity to 'modernise' and democratise by rational negotiation and in full awareness of mistakes made elsewhere.

It is unfortunate that this theoretical framework, intended to serve as a contribution to that re-examination, has to stop at this point for reasons of space and the demands of the CHE's HEIAAF project schedule. For that open debate on the steering of the academy has grown ever more nuanced and sophisticated in South Africa over the last decade. Its openness, diversity of view and richness of detail should be of great interest for academics both inside and beyond South Africa's borders and is in itself evidence of the capacity for innovation and the intellectual resourcefulness of many who have lived through terrible times and now meet a challenging future with determination – not merely to adapt but to forge new compacts and understandings. To this academic outsider, the most exciting thing about current debate in South Africa on academic freedom, institutional autonomy and public accountability is not just its depth and diversity: it is rather the fact that it is taking place at all, with so much energy and in the public arena. Questions about the legitimate deployment of academic freedom and institutional autonomy and the proper limits of democratic accountability with respect to the academy can never, of course, be settled. *But so long as they are at the forefront of concern for all those who steer the academy, its development will remain not only of the greatest importance within South Africa: it may also serve as a model for re-evaluation of higher education practices far beyond its borders.*

Concluding remarks

It is customary for academic papers to end with a conclusion but that would be inappropriate here. That is because this paper does not come to specific conclusions about how the role-players in the steering of the academy in South Africa might build new shared understandings of academic freedom, institutional autonomy and public accountability. However, although it comes to no conclusion on just what forms those understandings should take, it has offered a framework within which proposed understandings might be examined and developed.

The opening section of the paper attempted to clear the ground for building such a framework by making a key democratic distinction between 'the state' and government, distinguishing the constitutional state from the institutional state. It was stressed there that, constitutionally in South Africa, the institutional state is made up of executive, legislature, government bureaucracies, public bodies and public institutions who are required mutually to co-operate. It became a theme of the following three sections that in co-operation between the role-players in the steering of higher education, the academy (through its institutions, academic members, representative/stakeholder groupings and statutory body) is in an unusually strong position among public institutions as regards influence over its own – and society's – future development. That power of influence comes from higher education's role as engine of reform, a power expressed through what it teaches, how it teaches, how it produces and disseminates research, the climate it encourages within its institutions, its relations with surrounding communities, its contributions to the content and style of public debate and its constructive critique of public policy. In brief, higher education must of course serve the democratically negotiated conception of the public good: but a key part of its defining role is to open possibilities for continued re-evaluation of both ends and means in that matter.

That power of influence, of course, places burdens on the academy in any democracy which is more than merely formal. It places especial burdens and enlarged responsibilities on higher education in the situation of today's South Africa. For that reason, section 2 sketched some of those implications for higher education and section 3 elaborated the enlarged responsibilities it places not only on the academy itself but also on all those who play a part in steering the academy and the society whose good functioning it serves. It was stressed in that third and central section of the paper that as a newly democratic South Africa is still in the process of substantive democratisation and only some way along the road towards the goal of substantive equality of opportunity for all of its citizens, so social and individual empowerment is fundamental not only to equity but also to development, growth and redistribution. And since higher education has a vital role to play in empowerment, it is unsurprising that those who steer it should have a close interest in its response to change. On the other hand, since that vital role depends upon the academy holding fast to academic freedom and autonomy, deploying them in the service of intellectual endeavour itself as well as in the service of that endeavour's contribution to the public good, then the academy in its turn has not just the right but also the responsibility to keep a critical eye on all forms of steering.

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It is therefore not to be wondered at that tensions must arise. Indeed unease within the academy about pressures on it from beyond its walls is a normal state of affairs – a situation ratcheted up globally in recent decades as the paper's fourth section indicated. To acknowledge that is by no means to suggest that higher education should simply acquiesce. This paper has claimed repeatedly that academics have not simply the right but the duty to scrutinise carefully both pressures on higher education externally and practices followed internally which compromise or betray its core values or constitutive mission. In making those points and illustrating them with examples from policy and practice, the paper has thrown down challenges both to higher education and to government – and may well have offended many on all sides. The point of those challenges was to illustrate what might be considered the chief punch-line of this research report.

That would be the claim that academic freedom and institutional autonomy are not rights (with correlative duties) which are inevitably but sometimes regrettably offset by the demands of public accountability. Rather, *a broader conception of accountability as democratic rather than merely public requires both academic freedom and institutional autonomy (understood as values in which rights and duties inhere) for its responsible discharge*. That claim has clear implications for how each concept – academic freedom, institutional autonomy and democratic accountability – and their interrelations and interdependence might profitably be reconceptualised. Though no such worked-out reconceptualisation has been possible here, it is hoped that some pointers have been offered. (It would be quite improper for an academic from beyond South Africa's borders to attempt the second task without the time and opportunity closely to examine the rich and varied debate on all those matters which has recently and currently developed within the nation.) The same claim also suggests that *defences of academic freedom and of institutional autonomy might, contrary to current unease in some quarters, be on particularly firm ground in a democratic South Africa, provided only that they are not asserted as rights of immunity but are defended as constitutive democratic duties*.

In that respect, one further outcome of this analysis was suggested by its fifth section. There, after recalling both the divisions of the past and the policy circumstances that would have created unease about the steering of the academy anywhere – and a particularly complicated unease in the circumstances of South Africa, stemming from varied past experiences and their resulting expectations for a better future – it was suggested that the diversity of experience and influence which characterises the academy here offers an arena for unusually broad debate. For a long habit of critique developed through decades of oppression, together with the disposition, with the advent of democracy, to ensure that continued critique be constructive, can now combine to allow that rich debate to include a plurality of voices and to reach many ears. The final observation of that section may be worth repeating here: that the debate so conducted in South Africa could well be a major contribution to international understandings of academic freedom, institutional autonomy and democratic accountability – democratic reconceptualisations which are urgently needed at a time when the contexts of higher education systems everywhere are subject to ongoing change.

The President's recent statement that higher education "must be afforded the space for unfettered intellectual enquiry" (Mbeki 2004b) must encompass the space to enquire into the proper scope and acceptable limits of its freedom and autonomy and into the proper form of the academy's right relations with other organs of state. The purpose of that enquiry and of the debate it fuels is not simply to inform debates about the academy's steering: it is also to lay the foundations for a renewed vision for the role of the university in a changed society. One academic recently noted that "realising a vision requires a clear understanding of (a) the 'current state', (b) the 'desired state' and (c) the trajectory of moving from current state to desired state." To avoid being at the mercy of events "requires that we open up the space for a critical reflection on the nature not only of the current state but the possible trajectories of arriving at the desired state." (Adesina 2005: 24) The purpose of this paper has been to elaborate that 'current state' selectively, drawing heavily on the research of others as well as experience; to illuminate that 'desired state' by contextualising the academy – its constitutive features and its potential contributions to the public good – in South Africa's current social conditions and democratically endorsed political project, against an international background of higher education change; and thereby, it is hoped, to offer a framework for considering "the trajectory of moving from current state to desired state". Any more substantive contribution to examining "possible trajectories" for those developments by this writer must remain a matter for further work: meanwhile, others continue to enrich an already very fertile debate.

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ENDNOTES

1   These points require further explication and referencing, for which there is insufficient space here. That is so for many theoretical arguments which are too briefly sketched within this abbreviated and condensed analysis.

2   A comparator illustration might be with British schooling, on the one hand in England and Wales and on the other in Scotland. In the first case, without a statutory body, legislation such as a prescriptive and exclusionary curriculum was passed in the 1980s in the teeth of opposition from the teaching profession represented by its unions, whereas in the second where there had been a long established statutory General Teaching Council, no such moves, even pre-devolution, were possible.

3   It is therefore unfortunate that although the CHE operates as a body independent from both government and other higher education constituencies, with that autonomy basic to its founding document, the document's discourse conveys a less clear message in some sections. For example, of the seventeen Responsibilities listed, twelve refer to duties to government before duties to "higher education stakeholders" are stated at point 13. Although that thirteenth point does refer to all activities listed in the previous twelve, the ordering is not helpful to sectoral confidence. And in the summary of that section, "Consulting with stakeholders around higher education" is the last of five statements, when operationally, in each of the CHE's duties, stakeholder consultation is the first task.

4   Here it is worth recalling that at the extremes, political programmes which wish to treat all goods as effectively private, just like those claiming all to be effectively public, standardly offer justifications in terms of the public good. Indeed, the global ideological shift of recent decades, which licences a market ethos and purposes in higher education, whether 'public' or 'private', represents not so much the abandoning of the public interest as a changed conception of it, from one predicated on the interdependence of social relations and the importance of social structure to one which places the individual above and apart from society and vaunts the power of personal agency over that of structure. (see Jonathan 2001a).

5   A host of complexities which cannot be considered here lies behind that last phrase. It is now 150 years since JS Mill rehearsed the problems of "tyranny of the majority" inherent in representative democracy, in his seminal work On Liberty. Though troubling and as yet unresolved, those concerns seem like future conundra in the South African case where a proportionately influential hearing for the voice of the majority remains an aspiration still to be fulfilled.

6   It would also be of private benefit both in 'up-skilling' and in job satisfaction – aiding retention in the public service – for that 10% of employed South Africans who, a decade after the transition, are still employed in the public sector.

7   Though institutional submissions to the CHE HEIAAF Task Team all reassert their commitment to transformation, there is less practical elaboration on how the unique social contribution of higher education, through the production and dissemination of knowledge

and critique, should be more effectively promoted through the inevitable process of democratic steering and regulation. In submissions available at the time of writing, general points about over-steering tended to be made, for example, on how the Programme and Qualifications Mix (PQM) constrains 'what to teach' thus threatening academic freedom, or how a national admission applications framework might limit institutional autonomy. There were fewer suggestions for how the general objectives of the PQM, in terms of sector coherence, might more acceptably be achieved or how admissions, to ensure fairness to applicants nationally, might be more appropriately managed. In that sense submissions seemed generally reactive, with some notable exceptions. A proactive and constructive response might be more suited to taking debate forward. A similar sectoral response from HESA would have additional persuasive force.

8   There are libraries of literature giving attention to 'equity' questions in respect of general education in reasonably affluent long-established democracies, on which theorising about education in South Africa often draws. There is also an established literature on the same questions in developing countries. Both literatures are becoming dated. This paper's perspective, stressing the fundamentality of context, both of time and place, would suggest that a deep examination of those questions for today's South Africa, with its double-aspect development characteristics, would be desirable. It would further be desirable to develop a similar analysis for higher education, where issues are interestingly different in many respects (see for example endnotes 12 and 26).

9   It is sometimes claimed that the historical moment of South Africa's transition, under conditions of globalised capitalism, is inimical to too rapid an advance towards social equality. This writer would argue that historical forces are not deterministic and that South Africa, with feet in both camps of the global divides of today, might be well placed, at least to some degree, to 'buck the trend' of the day in which the lives of many are improved but the lot of the poorest lags further and further behind.

10   The writer makes apology for any crudeness in these claims: to summarise in a few words analyses which have filled volumes over centuries may serve as some excuse.

11   It can be argued that renewal of tenure should be the province of the institution and on academic grounds, and where the health of the system suggests that some fields be discontinued at some institutions, then individuals should be able to submit themselves to academic scrutiny for possible transfer elsewhere.

12   In the general education of minors, who are deemed not yet fully autonomous and therefore not the sole or final arbiters of what is in their best interest, matters are more complex since fiduciary duties are over-riding. In this context, as in many matters such as the introduction of quasi-markets into the system, it is misleading to extrapolate straightforwardly from educational theorising about general education to apparently similar matters in the higher education context.

13   Jansen attributes this particular cause for regret in South Africa's universities today solely to the knock-on effects of apartheid. In fact it seems rather an apartheid-linked local instantiation of a problem seen in many countries today, where the combination of

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massification and a decline in both social status and pay for academics has led to increasing difficulty in retaining 'the brightest and best' of graduates in the system, with one means to counteracting that being too rapid promotion in some institutions – an exercise found to be self-defeating.

14   It would also suggest a need for collaboration across the public sector as a whole so that, for example, either pay and promotion structures are aligned across the academy, the research councils and the bureaucracy, or it is ensured that the staffing of the two latter feeds as well as exploits academic expertise.

15   A committee was appointed last year and has consulted on this matter and reported to the Department of Education. Resulting guidance to institutions had not been issued at time of writing.

16   This democratic check on self-interest ceases to function in affluent societies where the deprived are an electorally insignificant minority – arguably one of the reasons for electoral endorsement of many neo-liberal policies in, for example, the UK.

17   Were higher education not still an international concern these words would not be being set down by a foreign academic based 6 000 miles from the context they address.

18   What made Adam Smith's The Wealth of Nations a treatise of morality as well as political economy was its author's belief in the essential goodness of human nature, whereby wealth accumulated by the ablest and most diligent would trickle down through the layers of society not, as in neo-liberal mistaken interpretations of his work, by some magical osmosis, but by the fact that the wealthy, who as Smith saw it would in an open market be made up of the ablest and most diligent, would place their energies at the service of society in public office, legislating benignly for the upliftment of all. (In some respects he was not entirely wrong: the industrial revolution saw a flowering of both exploitation and philanthropy. But as ever without careful husbandry, the weeds tended to crowd out the flowers.)

19   There are several ways universities well-practiced in market environments treat consultancy earnings. They may sell an employee's time to another body (at commercial rates) and keep all of the proceeds. Or they may leave the employee to negotiate payment and then recoup a proportion according to two considerations. Any work taking time from existing academic activities might incur reimbursement for costs of rescheduling or staff replacement. Work undertaken in 'free-time' might incur a percentage 'overhead' to be recouped from the individual – often 40% – for 'brand': accrued intellectual capital, possible use of library and computing facilities, and institutional status. Again, the financial gains to the institution then serve its autonomously determined priorities.

20   It has not been uncommon, worldwide in recent years, to see appointments to head higher education institutions filled by individuals with little or no academic experience but a strong business track record.

21   That claim does not ignore that in the rarest of cases, mismanagement force majeure may be so great that government as public representative may be obliged to over-rule Council, as has occurred in the atypical circumstances of immediate post-apartheid South Africa.

However, in settled systems any such external incursion into or over-ruling of the deliberations of university Councils would be a gross violation of academic freedom and institutional accountability.

22 One perversion of market activity in universities internationally has seen first rank research units within institutions buy themselves out and privatise themselves, to the detriment of the institution but to the commercial advantage of members of the unit.

23 An example of the 'hard to defend' would be an understanding of sabbatical leave as an entitlement of academic employment, rather than as paid leave of absence for approved purposes where products of that leave are academically assessed and serve as a condition for any subsequent leave application.

24 Also in relation to disparity within the sector, there has been space here to say nothing about a further aspect of globalisation and the market. That is the impact on public higher education in South Africa today of private providers, often from overseas, seeking a good return on investment (CHE 2003c; Kruss 2004). The quality of such provision is mixed and government has quite properly put mechanisms in place to regulate and monitor it, in the name of the public good. In private provision especially, the market's relation to individual choice ensures that it is perceptions, not only of relative intrinsic value but even more of relative marketable exchange value, which attract students. If that claim has any basis, one implication is that not only the quality but the public perception of quality in public provision as it evolves will determine whether private provision prospers at the expense of public or remains simply an adjunct to it.

25 International and transnational declarations deserve more attention than they can be given here, both in respect of their content and the variations between them which depend on their provenance.

26 Inequalities resulting from language policy and the privileging of media of instruction, whether under apartheid or in the present, lie outside the scope of this paper but remain significant (Alexander 2001). Their analysis in an international context raises many complexities which cannot be straightforwardly extrapolated from similar issues in general education.

27 In addition to changes coming from the so-called global economy, there have been changes in the knowledge economy of production, exchange and dissemination which cannot be addressed in this paper (Gibbons *et al.* 1994; CHE 2003b; Muller & Cloete 2004; Bleiklie 2005).

28 Unfortunately, this is not well understood by voting publics who have supported massification in higher education, with all the additional burdens of lengthened child-dependence that entails, in the belief that the social advantages resulting from a higher education would be the same for their offspring in the situation of a 40% participation rate as they had been when participation was only 10%. It is telling that in the UK today there are almost as many masters graduates annually as there were honours bachelor graduates 45 years ago. This is simply an empirical demonstration of the obvious logical point that higher education, like all things that are competed for, is a 'positional' good: worth less to those who have it as its supply increases.

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29   Those remarks are written with sympathy from one academic, who experienced a 'pre-modern' elite higher education system in the 1950s (as a student socially-sponsored by Britain's brief post-war moment of socialism) and left the staff of a 'modernised' system half a century later, to others who are required to make even greater adjustments – and develop even more creative reconceptualisations of academic freedom, institutional autonomy and public accountability – over a period of a mere decade. The writer also acknowledges that whilst many of those adjustments are for the good, some are equally surely for ill unless very carefully mediated by innovative academic understandings and practices.

30   In retrospect, whilst entirely appropriate, that timing had one unfortunate repercussion. As advice on subsequent policy was a task of the statutory body – policy which sometimes sowed seeds of disquiet within the sector about a feared chipping-away at perceived former autonomy – so the very body serving as a bridge between government and sector came to be seen by some as yet another arm of government intervening in the practices of the academy. (It could be argued that this misperception, in a new democracy still to reassure in some quarters, was exacerbated by making the formulation and activities of quality assurance through the Higher Education Quality Committee (HEQC) part of the CHE's mandate.)

31   The fashion for believing the contrary in anglophone analytic philosophy in the mid-20th century was a mistake, only possible among monoglots with a recent history of global hegemony, from which it took that discipline more than a generation to recover.

32   This writer undertook a sample survey of senior staff in her 'research university' in 1999 which revealed a typical 60+ hour working week over a 48 week year among productive researchers, with a standard 45+ hour week typically taken up by teaching, supervision, management, journal editing, learned society leadership, reviewing, external examining, etc.

33   For example when sectorally-competitive research assessments are conducted within, say, a five-year time-frame, there is pressure on academics involved in long-term or large-scale work to set it aside temporarily if publication will not occur by the assessment date. Attention is diverted instead to the speedy production of research papers for journals within the time-frame to be measured (to increase the income of the 'cost centre' and ensure the retention of its junior staff). Moreover, research tends to prosper in the future where it is already strong, since institutions who see a high proportion of subsidy coming from research activity cannot afford to recruit staff whose research talents may need time to develop. (Indeed the UK has seen the academic equivalent of football league transfers develop in preparation for impending research assessment exercises (RAE).)

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