COUNCIL ON HIGHER EDUCATION

Regional Forum
on
Government Involvement in, and Regulation of, Higher Education, Institutional Autonomy and Academic Freedom (HEIAAF)

Friday 2 June 2006, Nelson Mandela Metropolitan University, Conference Centre, North Campus

1.	**Welcome** Prof Nthabiseng Ogude, Deputy Vice-Chancellor: Academic, Nelson Mandela Metropolitan University (NMMU)
1.1	Prof Martin Oosthuizen, who chaired the discussion, opened the meeting at 10:00. He introduced Prof Ogude, Deputy Vice-Chancellor of NMMU, who made the formal welcome.
1.2	Prof Ogude welcomed all colleagues warmly to the debate, especially those from sister institutions in the Eastern Cape and beyond. She extended a welcome to the two speakers, Prof Loyiso Nongxa and Prof Peter Vale. She also welcomed the Vice-Chancellor of Walter Sisulu University of Technology and Science (WSU), Prof Nicky Morgan, and the Vice-Chancellor of NMMU, Prof Rolf Stumpf. She noted that tensions over academic freedom and institutional autonomy were a perennial problem and a topic of debate worldwide. Universities had moved from the edge of society – the proverbial ivory tower – to the centre of the modern democratic state and of market economies where academics were expected to take cognisance of the social, political, economic and environmental contexts in which they operated. It was now widely acknowledged that universities are products of society, funded by taxpayers, and should therefore be shaped by changes and dynamics of the society. The historical context and moment, in a country with a tragic and divided past, must serve to drive the sector; implying that absolute autonomous space associated with universities was no longer possible. One aspect of how universities had changed was seen in the type of human capital they were expected to produce and the current accent on vocational training and relevance. Such demands and pressures came not only from government but also from the corporate world. Acknowledging concerns that such trends promoted an instrumentalist approach, it was necessary for higher education institutions to find a balance between vocational and professional programmes and traditional formative degrees. Academic freedom and the freedom of research were seen as of such crucial importance for democracy that they were guaranteed in the Bill of Rights in the South African Constitution. This demonstrated the large degree of trust conferred on the academic and scientific community by the government and the society, yet universities generally continued to feel that they were unable to exercise that autonomy and freedom. It was crucial to note that freedom and responsibility went hand in hand. While

	advancement of knowledge could only take place in an atmosphere of freedom, such academic freedom equally demanded responsible choices and actions based on sound value judgements. These values should reflect the main goals of higher education: the search for truth, educating and training appropriate human capital, and concern for society and societal problems as a whole. Prof Ogude outlined several questions that she saw to be at the heart of the debate on institutional autonomy and academic freedom for NMMU and for higher education in general: • What is the purpose of higher education, and how should we pursue that purpose? • How do we negotiate the space to pursue the key functions of higher education in a way that is responsive to transformation imperatives and social challenges without compromising academic integrity and rigour? • Where exactly does academic freedom lie? Does it lie in the detail of what one teaches and how one teaches it? • How do we work with other statutory bodies which use instruments to influence the agenda of higher education, and how does higher education retain its independence in regard to them? • To what extent have the higher education national steering mechanisms of quality assurance, funding and planning restricted our ability to develop creative academic programmes and research and how is the planned approach impacting on institutional autonomy and academic freedom? The Minister recently announced she may regulate student fees – is this because of failures of self-regulation? Will higher education display progressive initiative in this regard? • Will the current restrictive environment make way for progressive self-regulation in the future, given leadership and demonstrable achievements? The day's discussion would allow NMMU, as a newly merged institution on the threshold of forming an exciting new institutional profile, to interrogate how it could preserve a culture of innovative academic programmes and research and how it would creatively interact with the demands of the regulatory framework to achieve its goals. It was hoped that the inputs from the forum would also contribute to shaping the work of the CHE Task Team.
2.	**Introduction by the Chairperson** Prof Martin Oosthuizen, Senior Director: Centre for Planning and Institutional Development, NMMU
2.1	Prof Oosthuizen noted aspects of proceedings for the day, including a language policy that contributions might be made in any language, provided someone present undertook to translate. He introduced Ms Ashley Symes, Research Coordinator to the HEIAAF Task Team.
3.	**Task Team on HEIAAF: Terms of Reference of the Investigation** Ms Ashley Symes, Research Co-ordinator to the Task Team
3.1	Ms Symes noted that she was representing the HEIAAF Task Team on behalf of its members, as regrettably none had been available to attend this particular forum. Her brief introduction to the HEIAAF Task Team's Terms of Reference was intended

to focus on the underlying intentions of the enquiry, and key elements in the programme of work.

The CHE had convened the HEIAAF investigation of its own initiative, and not in response to a request for policy advice from the Minister of Education. The enquiry had no predetermined agenda or outcome; rather, its goal was to identify, describe and critically analyse various conceptions, claims and counter-claims as to government's role in South African higher education and higher education transformation, so as to advance independent argument and conclusions on the issues.

To this purpose, the CHE had convened an independent Task Team to guide and oversee the enquiry. Members were appointed to the Task Team in their individual capacities and were widely-respected persons with expertise and experience in the higher education and research sectors, and in other relevant areas of civil society.

The Task Team had selected three key focal points for its enquiry:

- The nature and modes of government involvement in higher education transformation;
- Relationships between government, bodies with higher education regulatory functions, and higher education institutions;
- Conceptions of institutional autonomy, academic freedom and public accountability (normative and contextualised).

These avenues were being pursued through a number of interventions (see below) in order to build shared understanding of the issues, to generate consensus if possible (although absolute consensus might remain elusive), and to compile an independent report.

The Task Team had formulated starting premises for its work, although these too were up for debate by other role players and stakeholders:

- Government has a key role to play in transforming higher education in a democratic South Africa;
- State steering is predicated on the principles of institutional autonomy, academic freedom, public accountability, democratisation and development;
- As transformation has shifted from policy frameworks to implementation, concerns and claims have arisen that government involvement has shifted from steering to interfering;
- These issues have potential to become major sources of conflict and contestation in South African higher education;
- This situation requires exploration of key underlying conceptions in the state-sector relationship, and the links between them, as held by different higher education actors.

The HEIAAF process was unfolding over about two years (July 2005 to the second half of 2007), using five key inputs:

- A commissioned overview of recent and current debates in the Task Team's field of enquiry (completed October 2005);
- Stakeholder submissions (first call for submissions made in July 2005 and a first set reviewed by the Task Team in October 2005; submissions were ongoing and a call for submissions by institutional stakeholder formations was in process);
- Regional fora (six fora around the country between March and June 2006; a second round of regional fora was possible later);
- Key interviews and meetings (e.g. the Task Team had already met with

	Department of Education representatives, Higher Education Quality Committee Board representatives, Higher Education South Africa Executive Committee members, student leaders, etc.); • Commissioned research (March-July 2006) – these projects covered: o Evaluation of co-operative governance, matching empirical perspectives with constitutional and public policy perspectives; o Interrogation of the practice of academic freedom in South Africa (and Africa) and implications for the wider practice of intellectual freedom; o Exploration of the potential of a 'social pact(s)' for institutional autonomy; o Focus on theoretical and empirical dimensions of public accountability in South African higher education; o Cross-cutting theoretical analysis deriving a principled and contextualised framework for the state-sector relationship, taking into account the South African and international contexts of higher education. The various outcomes of these initiatives would be used by the Task Team to refine the continuing process leading to its independent report. The report would be disseminated via a national seminar (along the lines of the annual CHE colloquium). The CHE might also use the Task Team's independent report as a key input to a policy report and policy recommendations of its own to the Minister of Education.
3.2	**Questions and Comments on the Terms of Reference** **Prof Piet Naudé, NMMU** This participant made three key comments: It was not surprising that there was a degree of scepticism by institutions when a state-funded agency undertook the investigation; there was a perception of a conflict of interest. Since the issue of government steering of higher education was a highly sensitive topic, there was a need for independent work and independent theoretical perspectives in the HEIAAF investigation. Reports written by Ashley Symes in the past had been conceptually astute, but insufficiently grounded in reality. The study should incorporate longitudinal case studies of specific higher education institutions. It should be remembered that South African higher education is highly differentiated: not all higher education institutions have the capacity to enter the HEIAAF debate. Those marginalised – for example rural institutions and merged institutions – must be enabled and empowered to do so; otherwise the debate would be dominated by the existing hierarchy of elite institutions. Prof Naudé commented that not many academics were present at the forum. This might be as a result of their heavy work load.
4.	**Keynote Address** Prof Loyiso Nongxa
4.1	Prof Nongxa disclaimed the right to be called a public intellectual, saying that he only volunteered to give public lectures when he felt frustration at the way in which debates were being framed.

	In the current presentation, he would focus on academic freedom, institutional autonomy, and the idea of the university. The topic juxtaposed two commonly used, but complex concepts: 'academic freedom' and 'transformation'. It could be asked whether there was unavoidable tension between academic freedom and transformation, or whether it was inevitable that pursuance of the transformation project (however defined) would threaten academic freedom, as was commonly assumed. In his Academic Freedom lecture, given at the University of the Witwatersrand in 2003, he had aimed to bring together the two concepts, 'academic freedom' and 'transformation', to demonstrate that they could be complementary. Debates around academic freedom, institutional autonomy and the role of the state were often adversarial, and could lead to a situation where protagonists were locked in a cycle where there were no winners and losers. 'Sword' and 'shield' were concepts used in law. The relationship between these concepts could be illustrated by an examination of affirmative action and unfair discrimination. In the case where an employer had employed an unqualified candidate from a designated group in preference to a more qualified one, the employer could use the concept of affirmative action as a shield. The aggrieved applicant could use unfair discrimination as a sword (i.e. concepts in tension could be used reversibly to suit the agent). Similarly, in the higher education sector, academic freedom could be used as a shield, and public accountability as a sword, or vice-versa. South Africa needed a reconceptualisation of academic freedom or a reformulation of the idea of the university to remove or lessen the tension between state and sector, so that institutional autonomy and academic freedom could come to be seen as prerequisites for everyone. At the current time there were two investigations under way which could take the debate forward: the CHE's investigation into HEIAAF, and the Presidency's questioning of the role of the university in the developmental and democratic state. Prof Nongxa said that he had been struck by his own lack of depth of understanding of academic freedom and institutional autonomy, despite being a regular academic. This appeared to be common amongst academics, and it did a disservice to the academic community's own arguments. He recommended that as part of the process academics critically review select literature to look at the various formulations, and at the nature of state-university relationships in different contexts and at different times. He acknowledged that questions around academic freedom and institutional autonomy were complex and multidimensional. Academic freedom could be found in the value statement of every university in the world. Academic freedom must be distinguished from institutional autonomy. It is a basic right of the academic community, and a constitutional right in South Africa as a component of the freedom of expression. Institutional autonomy, on the other hand, is a necessary attribute of higher education institutions, giving them freedom from government regulation in respect of their core functions, governance and internal management, but counterposed by a duty of accountability. Various authors have noted that Institutional autonomy is not constant: it is a boundary condition between university, government and society, and is capable of being modified in response to new conditions, and of shifting over time. Historically, the liberal conception of academic freedom adopted by the 'open' universities was captured by the TB Davie formulation. This formulation referred to teaching, appointments and admissions; it was silent on the other two functions of the

university – research and academic citizenship. Interference in how one conducted research was nonetheless of grave concern, as Nthabiseng Ogude had pointed out.

John Higgins had argued that the TB Davie formulation of academic freedom remained the correct articulation of the ideal as it was still primarily under threat from official policy and state interference. Yet there was real tension between the TB Davie formulation and the prevailing policy and legal framework for higher education in South Africa.

The notion of the university embodied in the TB Davie formulation, and endorsed by the 'open' universities, was that of an institution embodying Western civilization, and based on respect for the individual.

The concepts 'academic freedom' and 'institutional autonomy' were not apolitical. Two definitions from different associations of American academics illustrated this. The National Association of Scholars sought to "enrich the substance and strengthen the integrity of scholarship and teaching, persuaded that only through informed understanding of the Western intellectual heritage and the realities of the contemporary world, can citizen and scholar be equipped to sustain our civilization's achievements". The association endorsed only merit as a criterion for hiring and student recruitment to the university, and raised concern at "dogmatic hostility to Western civilization". In contrast to this, members of the American Association of University Professors, writing in *Academic Keywords*: A *Devil's Dictionary for Higher Education,* referred to academic freedom as "the glue that holds the university together; the principle that protects its academic mission". This principle affirmed that there should be no limits placed on subjects of investigation or limitation of debate.

The *Devil's Dictionary* definition of academic freedom served to highlight key issues:

- Academic freedom requires protection from interference
- Interference may be not only by the state, but also by the university or the public
- Freedom is enjoyed by both students and academics
- It is enjoyed by all educational institutions in the pursuit of knowledge, not only universities.

Louis Menand referred to academic freedom as the "key legitimating concept of the entire [academic] enterprise". From this perspective, one could agree with André du Toit that the TB Davie conception was too narrow, and should be interrogated. There was a degree of tension between the TB Davie formulation and the transformation of higher education in South Africa envisaged in key policy documents. The 'co-operative governance' model adopted in policy was predicated on a relationship between government and higher education, one aspect of which was state supervision. Thus, while the TB Davie formulation sought the freedom of the university to choose *who* shall teach, all universities were required to comply with the Employment Equity Act and the Basic Conditions of Employment, for example. The goals outlined in the *National Plan for Higher Education* and the instruments designed to achieve those goals might be seen to be in tension with other freedoms in the TB Davie formulation: the Programme and Qualifications Mix (PQM) placed restrictions on *what* an institution might teach; instruments relating to access sought to influence *who* one might teach; provisions on the offering of contact and distance programmes affected *how* one might teach.

It was not in the interest of the higher education sector to be seen to be arguing for a special status in being exempt from provisions that applied to the broader South African community, and from its transformational objectives. The TB Davie

	formulation had been adopted by the 'open' universities at a time when they were marked by homogeneity of race, class and possibly of ideological persuasion. In 1959 the University of Cape Town had issued a declaration that the only criterion for entry to university was academic merit. Yet, this focus tended to reward the past achievement of a candidate (often from an advantaged background) rather than focusing on the mission and goals of the university. Even at the present time a disproportionate number of faculty members in South African universities were seen to come from a small cluster of universities. According to Bowen and Bok, writing in *The Shape of the River*, 'merit' is a word with a lot of baggage. It should be re-examined "in the light of what educational institutions are trying to accomplish". These goals might include the identification of potential, recognition of the educational value of diversity, and a commitment to addressing society's needs. Prof Nongxa said that he had been surprised by the depth of anger amongst black students who had attended historically white universities. How did one reconcile 'open' universities with that anger? What were students' experiences? Some had not been allowed to stay in residences, for example. The concept of academic freedom was not only a protection against an external empire from the perspective of black students; it also invoked, for example, the protection of black workers' rights and privileges. How sensitive had university authorities really been in applying (or refusing to apply) the race policies of the apartheid regime? In conclusion, South Africans had to seek a conception of academic freedom and identify an appropriate dimension of the transformation project such that both concepts helped in advancing the academic mission of higher education. It was useful to bring in the notions of 'knowledge' and 'citizenship'. Knowledge could be seen as a fundamental driver of human development. Higher education institutions have knowledge production and dissemination at the core of their mission. If they fail, or are partisan in this, they do not fulfill the academic mission. The state, which often sees its role as representing the public interest in higher education, exercises its moral authority to steer, to control, or to interfere. The academic mission of the university also embraces a principle of reciprocation: while members of the academic community have the right to investigate, study and discuss any issue, the society has the right to interrogate these topics and modes of investigation, because academics have responsibilities not only to the academic community, but, as "multi-citizens", to the broader society. Prof Nongxa said that there were two images for describing a higher education institution that could illuminate the topics under discussion. The first is the idea of the university as a village fountain ("*umthombo*"), protected and treasured by the community. It is central to the survival of that community; most activities revolve around that fountain. With the image of universities as fountains of knowledge, it is incumbent on society to protect the university and create an enabling environment for academics to keep the fountain flowing. The second image is that of a reaction vessel in a chemical experiment. It is necessary to protect that reaction vessel so that it delivers the outcome one has in mind. If actors in the higher education sector could clearly formulate the role of higher education in society, society would give the university space to deliver on that role. This was an embodiment of academic freedom.
5.	**Discussant**

	Prof Peter Vale
5.1	Prof Vale commented that the role of a discussant in a symposium like the present one was '*klip 'n die bos*', or an 'incendiary device in the room'. He noted that he shared Prof Naudé's concerns about potential pitfalls in the HEIAAF investigation. He gave his view that the debate in the South African context ranged between two extremes: the philosophical debate (as articulated by Du Toit, Higgins and others) and utilitarian perspectives. He saw his contribution as being on the philosophical end (from a conservative perspective), referring to Hannah Arendt's statement that "conservatism is the essence of educational activity". In the international context the debate had two threads: the role of the market, and the role of the state. The latter thread was fuelling intense debate in the USA, where academic freedom was under threat from calls of fealty and loyalty to the state in the 'war on terror'. The Patriot Act, harassment of professors of Middle Eastern studies, and curtailment of media coverage were manifestations of this threat, although it had been poorly reported upon in South Africa. The debate around the 'war on terror' drew on the dominant meta-narratives of the earlier Cold War; the academic pursuit was driven within a particular ideological project. Local debates often did not adequately examine issues of power and the ideological project in framing narratives, yet these influenced practices as diverse as gate-keeping, funding, and research. Assumptions that "This is international practice" masked the fact that such practices arose from narratives dominant in the USA, Britain and Australia post 9-11. 'Transformation' in many cases was simply a licence to change, and this sometimes had devastating effects. In the area of funding, for example, transformation had gone hand-in-hand with cutbacks. This had left deep scars in the system, and damaged academic production. For many people, that intervention constituted the thin edge of the wedge: it had made the pursuit of knowledge more difficult at the current time. The other dominant thread in the international debate – that of the influence of the market – should be seen in the context of an alliance between government and business. Fukuyama spoke of "the end of history" where one only saw market solutions; today even the university was forced into the pursuit of market systems. If there was to be "patrolling of the boundaries", one must consider the implications of the influence of the market on the boundaries that academics patrol. It would be informative to watch the situation in the UK during the next few months, as academics pursued a strike over marketisation and the future of the university. (South Africa, indeed, would have no university if it did not invest in academic personnel.) Loyiso Nongxa had contrasted academic freedom and institutional autonomy. But, conceptually, should it be seen as an either/or proposition? If academics patrolled the boundary, did they not patrol the boundaries of both freedoms? Prof Vale said that he agreed with the view that the TB Davie formulation did not take the conditions of research into account. However, one should recognise that TB Davie was talking the language of his times: he was operating at a time when very little knowledge was being generated in South Africa. Universities were part of the ideological project (either of British colonialism or of the Nationalist project). In examining research in South Africa, it was important to look at the role of the corporate sector. Working academics spent time in contract research, damaging in fundamental ways real knowledge production in the county. Academics were facing a kind of anti-liberal coercion, where they were pushed to conformity and neo-liberal

	privatisation. The power of the state could be seen variously as charming, or alarming (based on views of the degree of interference or enablement). The point arising was that one had to negotiate the boundary. He agreed with Loyiso Nongxa that there was a growth in interest in professional and intellectual associations such as the Royal Society and the South African Academy. People were seeking ways other than the university to participate in the academic project because they were disillusioned with the university under prevailing conditions. The university was losing loyalty. The rise of the Native Club was an expression of disillusionment with regular academic work and an attempt to forward a political project using knowledge (as indeed the *Broederbond* had done in its time). Turning to the merit debate, Prof Vale said that it was a grave mistake to ignore the lessons of history. Some of the best young minds were leaving the country. This was something that the CHE should include in its investigation. He liked Loyiso Nongxa's image of the university as the village fountain, but recognised that it was not unproblematic: for example, local government could recognise its value and place taxes on it; global business interests could capture it as a market opportunity! It was critical to recognise that debates about the nature of the contemporary South African university were taking place in the context of globalisation and that both the state and the university operated in this context. What, therefore, could be done? • One challenge to the CHE (inspired by Prof Naudé's comments) was to simplify the issues. They were not endlessly theoretical and complex. • The debate should be framed within the hegemonic narrative around the market. • There was a need for critical reflection on what the universities were during apartheid (as illustrated by the 2004 conference on the critical tradition at Rhodes). It was difficult to move forward without confronting the past. • Role players should recognise that South Africa's universities are located in a regional context. • Role players should discuss the social contract with government in open terms. • Universities were bitterly divided, seeing each other as rivals not comrades in arms. They could be exhorted to "Get organised" – an old political statement. • A further imperative was the reassertion of the public intellectual and reinvigoration of the public intellectual domain: encouraging intellectuals to enter the public debate and write about higher education. A concern was the lack of knowledgeable education journalists apart from David McFarlane. In this respect, Higher Education South Africa (HESA) should be much more assertive in entering the public domain. It was no wonder that there was a loss of public confidence in higher education when negative viewpoints put forward by government and business went unchallenged.
6.	**Questions to the Speakers, Comment and Discussion**
6.1	**Prof Kobus van Wyk, NMMU** This participant asked whether it was not timely, at this point in the 21st century, to redefine what a university is. Were classical definitions adequate any longer? He put forward two concepts that had not been raised as yet in the day's debate:

	relevance and sustainability. It was crucial to bring these concepts into the debate.
6.2	**Prof Heather Nel, NMMU** This participant commended two powerful metaphors used by the speakers: that of the university as the village fountain, and that of the university patrolling boundaries. The first metaphor was very suitable for our African context. But, being around the village fountain had the connotation of close interaction between university and society, and of the university's relevance and responsiveness to that society. To what extent could one separate state and society in a developmental context? The state was accountable to the society. Loyiso Nongxa had spoken of protecting knowledge production. But it was important to ask: What kind of knowledge should we conserve and protect? Do we need to redefine what we conserve?
6.3	**Prof Thobeka Mashologu-Kuse, NMMU** This participant agreed that it might be possible to exploit the village fountain ("*umthombo*") in a context of globalisation. However, if the concept of village fountain were well handled, it could have enormous advantages. It was important to emphasise the ownership of the university by the community: but how could the community own the university if it did not participate in its affairs? If the community participated in the university, it would embrace the university. Little use was currently made of indigenous knowledge in teaching. University research should inform the content of what was taught, in order to transform knowledge by making it relevant and by ensuring community participation in the research itself. If the university could not make a difference in the lives of the people, it failed in an important aspect of its mission.
6.4	**Mr Khaya Matiso, NMMU** This participant commented that a common theme in the debate was the fear that a dominant government would threaten higher education, or that business would - i.e. that there was an external threat to the university. However, his view was that the threat was internal. It was notable that there was no common understanding, even amongst academics, of key concepts such as academic freedom. Peter Vale had suggested that members of the higher education community "get organised". But how were they to organise, given that they were so divided? People should be aware that the Constitution provided them with the space to express themselves. What further space did one need? The problem was how to utilise the space that already existed. The internal threat to academic freedom arose from the management of institutions, and from Councils. Members of those bodies often got irritated when the voices of staff, students and unions were raised. Yet, in contradiction, management often came forward to demand more space for academic freedom.
6.5	**Mr SC Mabandla, NMMU** This participant said that as students they welcomed the CHE initiative. Students had long raised this as a necessary debate.

	He did not understand the scepticism expressed by higher education institutions when the CHE sought to investigate whether institutional autonomy and academic freedom were under threat. Nobody was against academic freedom and institutional autonomy: the issue was how they were used by institutions. Many institutions had high fees and exclusionary admissions criteria, which were enabled by institutional autonomy. Therefore it was necessary to ask: how could institutional autonomy be used responsibly? The reality was that the poor could not access higher education unless they received funding from the National Student Financial Aid Scheme. While universities sought to exercise freedom over who they taught, it should be recognised that they taught many rich students from advantaged backgrounds. Was it realistic to expect students from township schools to achieve the same requisite number of points for admission to a programme? Turning to *what* universities taught, he noted that higher education was increasingly being commodified. Universities were not ivory towers; they should be part of their communities. They should also govern openly. Students understood that higher education was immensely contested and that the sector needed to overcome the legacies of the past: but if this was not to be achieved by government intervention, then how would it be achieved? Higher education must act responsively on its own account.
6.6	**Prof Nicky Morgan, WSU** This participant commented that the last contribution reminded him of the 1997 debates around the first draft of the White Paper, when institutional autonomy and academic freedom were central to the debate on the transformation of higher education. It was argued that institutional autonomy and academic freedom must not be used to defend old institutional practices. But did institutional autonomy and academic freedom on their own constitute good principles? How could they be embedded in the practices of higher education institutions so that they were defended by all of the stakeholders in the sector?
6.7	**Dr Gordon Zide, NMMU** Legislation and policy were intended to drive and promote higher education transformation. For the past few years, there had been debates one after another – but there was no coherent understanding of what higher education transformation was really all about. How could the sector balance the tension between transformation and institutional autonomy and academic freedom? There were other tensions. The National Commission on Higher Education had identified expansion of access and massification as central issues. Now the government sought to introduce enrolment capping: how were these tensions to be balanced? Some problems might well be internal, but it could not be denied there was policy intervention from the outside. He welcomed the opportunity for members of institutions to talk amongst themselves, and expressed a hope that the sentiments expressed could find a way to government. It was important to find a platform where members of the higher education institutions could engage the Minister and the President on the frustrations being experienced in the sector.

6.8	**Unidentified speaker** This participant welcomed the input by Prof Nongxa, and said that his speech had emphasised the fundamental principles of "*Batho pele".* This approach served to guide the debate. Perspectives on the evolution of South African higher education should not be ignored. The South African context was different from that of other countries and role players must conceive of institutional autonomy and academic freedom in unique and contextualised ways. The ways in which institutional autonomy and academic freedom were practised even differed between NMMU and WSU. Macroeconomic policies had contributed to commodifying higher education. The government had allowed higher education institutions to increase fees in the light of increased operating expenses. Students were disadvantaged by this. Peter Vale had spoken of the need for higher education to supply the market – but what market was he referring to? Must the higher education system produce for a market system that supported a Western economy? Or should it produce graduates able to contribute to a better standard of living for all South Africans? It was important to distinguish between institutional autonomy and academic freedom. Academic freedom was fine and well, but *what* was one going to express with it? Which views were influential?
6.9	**Prof Nthabiseng Ogude, NMMU** This participant said one should not forget that South Africa was a young democracy. Did we as South Africans really have one identity? If we had to define a university, or academic freedom, could we pretend we could come up with a consensus? One person's view that the transformation of higher education had wrought scars (e.g. through the funding policy) might be inconceivable to another person. Many people would argue that there could be no comparison between the Native Club and the *Broederbond*. In debating academic freedom and institutional autonomy, one must be very clear that we are not yet a homogeneous society.
6.10	**Unidentified speaker** This participant reminded listeners of Ghandi's maxim "You must become the reality you want to see in the world". This tied in with the last comment. South Africans were busy defining their reality in the country, through the ways they interacted with it on a daily basis. The process of investigation was most welcome.
6.11	**Mr Robin Minne, NMMU; National Union of Tertiary Employees of South Africa (NUTESA)** This participant said that he endorsed Peter Vale's comment about the need to simplify the issues. It was hard to credit that there were people in the room earning pathetic salaries and overburdened with work - and yet who still found the time to engage the debates in question. But perhaps too many academics 'cared for their wickets' rather than engaging the key debates. The CHE should look at conditions of academic employment as a necessary prerequisite to enabling academics to participate in the debate. In Maslow's hierarchy of needs, basic needs had to be met before higher needs could be addressed.

6.12	**Ms Noluntu Dyubhele, NMMU** This participant referred to the saying "*Umntu ngumntu ngabantu*" – "You are who you are because of others" - as an important concept in South African culture. The university was a participant in the economy and the society. Like a church, it was not simply a building. People who came to a university came from different communities and had different needs. Thus, universities should not do things *for* people, but *with* people, as one way of creating an enabling environment. The university might be a fountain indeed, but it did not see itself as a fountain with all the solutions. It also looked outside itself to the wider community. Universities succeeded because of others, so it was important to allow those others to participate in higher education.
7.	**Responses by the Speakers**
7.1	**Prof Loyiso Nongxa** Prof Nongxa said that many complex issues had been raised, each deserving of a seminar. He liked the reference to the inter-connectedness of people. In his view, this linked to accountability: we acknowledge that we are accountable to others. Nicky Morgan had urged the need to find common ground in order to move forward. Nthabiseng Ogude had argued that with such a heterogeneous society it was optimistic to think that one might find solutions once and for all. Each person had some definition of academic freedom: could these understandings contribute to the development of a working definition of academic freedom that would allow the sector to respond to a range of issues arising? Ahmed Bawa had argued that during the mid-'90s the sector had lost its sense of cohesiveness and ability to respond creatively to things confronting it. It was necessary to re-start debates from first principles. It might be necessary to find short-term, medium-term and long-term approaches to the transformation of higher education. What were society's expectations of the university? One view was that the university was in pursuit of knowledge in order to allow the society to better respond to the environment. Widening access would allow more people to contribute to this quest. The traditional approach had been to say that the enemy of academic freedom was external. Yet there were many internal enemies, including academic orthodoxy and academic hierarchies. Even the alternative voices could be irritating when they defined academic freedom as the freedom to say anything, without recognising the concomitant duties. While there was some degree of consensus in our society about what we were transforming *from*, there was less agreement on what we were transforming *towards*. This applied also to the higher education sector. Was there a common vision in the sector? Even conceptions of relevance were contested: what was relevant now, and would it be relevant in the medium-term, and in the long-term? What were such understandings premised upon? If views were expressed that the university was not responding to communities, this pointed to a need to interrogate the role of the university. The university had to be accountable – but where did one draw the line?

7.2	**Prof Peter Vale** Prof Vale said that he wished to touch on a few central themes. Firstly, what were we conserving? In the past there was value accorded to enquiry for enquiry's sake. In the utilitarian market-driven world there was little space for critical knowledge; there was a greater value placed on problem-solving knowledge. Secondly, in examining the government as a threat to universities, the argument was not for more space, but for more *resources*. Students had different expectations of the transformation of higher education. The leadership of higher education had failed students in the post-'94 era. As a dimension of the internal threat, there was a tendency amongst management to infantilise academics. Universities did not have administrators any more, they had managers. This was a manifestation of the problem-solving, market-driven approach to higher education. South Africa had borrowed from North American and Australian models without situating these initiatives in a coherent framework. The transformation vision was not supported by a long-term plan. Different ministers emphasised different directions and goals. Australia was likely to embark on its third wave of mergers, where universities in the rural areas were in danger of being closed down. This comparative example illustrated the urgency of South Africa's developing a coherent long-term plan. Globalisation had emerged from strands of different ideas i) a market ideology driven by the USA ii) internet and other global communication technologies iii) the rise of post colonialism, which saw people from all around the world in every city. Although globalisation played out differently in different countries, it was a dominant force. One accepted that South Africa was a country under construction, where people were continuously negotiating boundaries, but this had to be done at the same time as opening up deep knowledge questions. The country needed 'blue sky' research, and needed Philosophy and other departments to ask those deep knowledge questions, based on Wittgenstein's premise that "that which we can't speak, we don't know". Epistemic speech must be avoided in order to reach new forms of knowledge. It was crucial to move beyond Nehru's definition of the relationship between state and university ("If all is well with the state, all is well with the university"). South Africa had moved beyond that simplistic nationalistic view of the university to open up space for critical questions, and this trend must be maintained. A concern was that in South Africa, as in many other countries, social relationships were mediated by the market. Economic values had replaced human values; this would prevent the community from "drinking from the fountain". Prof Vale concluded by urging members of the higher education community to have the courage and to seize the freedom to speak out. It was necessary for all role players to defend the turf under threat. It was essential for HESA to have an advocacy programme.
7.3	**Prof Loyiso Nongxa** Prof Nongxa said that he sometimes asked himself what was happening to the

	excitement of South African society? Had it withered in the face of challenges? It was important to recognise that the challenges universities faced were universal: British and Malaysian universities were facing similar challenges. Under these pressures role players were looking at who to blame. Universities needed to manage the spectrum of expectations of society, but they could not pass every student, or grant worthless qualifications, in response to these expectations. Role players should not look for standardised solutions, but for innovative ways to respond to the challenges that we face. There would never be a time when we did not face challenges.
8.	**Closure by the Chairperson**
8.1	The Chairperson thanked the speakers for leading such a fruitful debate. He accepted Loyiso Nongxa's view that there would never be a time when one did not face challenges. However, he said that he was very much heartened by the good, frank and honest debate exchanged in the forum. It would be important to promote the spirit of working together and recognising the inter-connectedness of diverse groups. It was counterproductive to see each other as enemies and opponents. Since there were different ideological positions, it was important for role players to wrestle to find common positions and to identify key values. The Chairperson thanked delegates for their contribution from the floor, and thanked the CHE for opening up the debate in pursuit of a vibrant higher education sector.
8.2	The Chairperson closed the meeting at 13h00.