

development programmes. These will be levels below which it believes that there is no reasonable chance of success. For each qualification or group of qualifications UCT sets target redress enrolment targets for each redress category, and where needed it sets limits for international enrolments for each qualification (UCT admissions policy 2012:3).

I attended an admission policy debate at the University of Cape Town on 2 September 2010 and reproduce here certain sections of the transcript of the proceedings as found on UCT's web homepage. Dr Max Price, the Vice-chancellor of UCT, argued that UCT needed a form of affirmative action that recognises disadvantage, makes allowance for redress in the admissions process and then adds intervention programmes, academic development, etc., to ensure that those people, although admitted with lower marks, ultimately have a good success rate.

He further stated that the university is trying to find the direct measures of disadvantage - such as looking at people's income, looking at what schools they went to, looking at what early school educational opportunities they had – and if it could find those and if it could measure them before people come to university at the time that they're applying, UCT might then be able to do away with race as the measure or the proxy for disadvantage.

He conceded that the university has to explicitly go out and find the best black students that are out there in order both to disrupt those stereotypes that otherwise would exist; and to make sure that they have lots of black students at UCT who are among the best students and who get through without any academic development. He also mentioned another possible model for admission, which would be to take the top ten students in every class in the country, no matter how good or bad their school and no matter how good or bad their marks – on the grounds that within any particular micro environment, the best rise to the top, those with talent, those with motivation, and those who are overcoming the odds do the best in that class. He contended that in this way UCT would probably get much more talent, much more potential out of that group than it would through some of its other current APS systems.

In order to look at the changing demographic profile at UCT, I refer to the following trends that are apparent in the enrolment profiles by “race”:

- Between 1994 and 2004, the overall proportion of white students at UCT dropped from 60% to 49% while the overall proportion of African students increased from 21% to 29%². The proportional increases in Coloured and Indian enrolments over the same period were comparatively smaller. By 2004 only the Humanities faculty had more than 50% white students. Between 2007 and 2011, the overall proportion of white students at UCT dropped from 40% to 36% while the overall proportion of African students increased by a margin of 4%, Coloured enrolments increased by 1 % and Indian enrolments were at a constant percentage, neither increasing or decreasing
- The proportion of African undergraduates increased from 24% in 1994 to 30% in 2004, and the proportion of Indian students increased by 2% to 8% during the same period. The proportions of white undergraduates in most faculties dropped markedly between 1994 and 2004, other than in Humanities which witnessed an increase in the proportion of white undergraduates over this period. Between 2007 and 2011, the proportion of African undergraduates increased by 5%, while the number of white undergraduates decreased by 5%, Coloured undergraduate enrolment numbers showed an increase of 1% and Indian undergraduates maintained an unchanged percentage.
- The overall proportion of black postgraduates increased by 18% to 46% between 1994 and 2004. By the end of 2004, only the Faculties of Law and EBE (Engineering and Built Environment) had less than 50% white postgraduates (46% and 46% respectively). Between 2007 and 2011, the number of African postgraduates increased by 2% and Coloured postgraduates increased by 1%, while the number of white postgraduates decreased by 4 %, and the number of Indian postgraduates showed no change.
- The most significant change in student body of UCT over the last decade is that international students have replaced a portion of South African white students.

(<http://www.uct.ac.za/usr/ipd/QA/news/regnatintl/StudentLife@uct.pdf>: 16)
(University of Cape Town, Faculties report 2011)

To look at how UCT in the management of its admissions policy is responding to the need for redress in higher education, I will look at the number of first-time entering undergraduate

² It must however be borne in mind that the percentage of international students, especially from the rest of Africa, also increased. In order to ascertain the extent to which UCT's enrollment addresses specifically issues of redress, I will discuss the percentage of black African students from South Africa as given in the figures from 2007 – 2011.

applications (Table 3), the number of first-time entering undergraduate offers (Table 4) and the overall enrollment of students at UCT according to population groups (Tables 5 - 8). The latest figures as mentioned in the UCT Faculty report 2011, note the number of overall undergraduate applications from the African population group has shown an average annual increase of 15,4 % while the average annual increase in undergraduate applications from white students is only 4.2% between 2006 and 2010. Below are figures for first-time undergraduate applicants:

Table 3: First-time entering undergraduate applications by population group

Population group	2007	2008	2009	2010	2011	Average annual change
S A African	4289 34%	4884 38%	5557 40%	6275 39%	6770 38%	12.1%
S A Coloured	1342 11%	1486 12%	1595 12%	1683 10%	2113 12%	12.0%
S A Indian	902 7%	989 8%	1116 8%	1182 7%	1300 7%	9.6%
S A White	3431 27%	3146 25%	3263 24%	3532 22%	3748 26%	2.2%
S A Chinese				77 0%	112 1%	1%
Other	283 2%	174 1%	227 2%	539 3%	325 2%	3.5%
International	2397 19%	2128 17%	2025 15%	2817 17%	3500 20%	9.9%
Total	12644 100%	12807 100%	13783 100%	16105 100%	17868 100%	9.0%

(University of Cape Town, Faculties Report 2011)

The statistics regarding first-time entering undergraduate offers show that there is an annual increase of 6.7% in the number of African students while the number of offers to white students shows a decrease of 1% between 2007 and 2011.

Table 4: First-time entering undergraduate offers by population group

<i>Population group</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>Average annual change</i>
<i>SA African</i>	1647 25%	1791 25%	2157 31%	1803 26%	2137 29%	6.7%
<i>SA coloured</i>	791 12%	944 13%	885 13%	727 11%	930 12%	4.1%
<i>SA Indian</i>	542 8%	711 10%	791 11%	711 10%	802 11%	10.3%
<i>SA White</i>	2499 38%	2584 36%	2333 33%	2320 34%	2401 33%	-1.0%
<i>Chinese</i>				45 1%	64 1%	
<i>Other</i>	108 2%	80 1%	58 1%	106 2%	131 2%	4.9%
<i>International</i>	903 14%	1033 13%	772 13%	1198 13%	919 12%	0.4%
<i>Total</i>	6493 100%	7143 100%	6996 100%	6910 100%	7384 100%	3.3%

Comparing 2011 applications with actual offers, we see that of the 6,770 applications by South African Africans, only 2,137 were actually offered a place, i.e. only 31,5% of South African Africans were successful. In contrast, of the 3,748 South African white applicants, 2,401 were offered a place, i.e. 64%. So, despite UCT's affirmative action policies, there is still a daunting backlog before demographic representivity is attained. It signals that there are persistent problems with the quality of high school education in preparing students for admission into higher education. I will pick this up in more detail in chapter 5.

Table 5: Matric A level aggregate equivalents of SA African first-time entering undergraduates

<i>Faculty</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Commerce</i>	44%	53 %	42%	40%	47%
<i>EBE</i>	22%	26%	21%	34%	42%
<i>Health Sciences</i>	24%	52%	41%	30%	60%
<i>Humanities</i>	4%	4%	2%	4%	5%
<i>Law</i>	17%	7%	53%	12%	43%
<i>Science</i>	11%	10%	11%	9%	19%
<i>TOTAL</i>	193	254	274	236	337
	22%	20%	22%	24%	34%

Table 6: Matric A level aggregate equivalents of SA Coloured first-time entering undergraduates

<i>Faculty</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Commerce</i>	45%	53 %	31%	31%	45%
<i>EBE</i>	48%	46%	30%	25%	50%
<i>Health Sciences</i>	40%	42%	45%	23%	45%
<i>Humanities</i>	8%	8%	4%	9%	8%
<i>Law</i>	9%	13%	14%	25%	33%
<i>Science</i>	18%	18%	9%	26%	21%
<i>TOTAL</i>	138	163	110	92	133
	25%	27%	17%	19%	26%

Table 7: Matric A level aggregate equivalents of SA White first-time entering undergraduates

<i>Faculty</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Commerce</i>	74%	66 %	69%	64%	63%
<i>EBE</i>	55%	53%	47%	45%	60%
<i>Health Sciences</i>	78%	82%	80%	66%	68%
<i>Humanities</i>	28%	29%	28%	28%	30%
<i>Law</i>	59%	43%	27%	57%	60%
<i>Science</i>	49%	53%	47%	44%	63%
<i>TOTAL</i>	785	747	725	593	580
	51%	50%	45%	43%	49%

Table 8: Matric A level aggregate equivalents of SA Indian first-time entering undergraduates

<i>Faculty</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Commerce</i>	78%	76 %	73%	65%	66%
<i>EBE</i>	58%	69%	58%	64%	63%
<i>Health Sciences</i>	78%	85%	72%	69%	75%
<i>Humanities</i>	18%	8%	10%	5%	6%
<i>Law</i>	33%	17%	100%	33%	33%
<i>Science</i>	48%	34%	33%	47%	70%
<i>TOTAL</i>	<i>149</i>	<i>169</i>	<i>202</i>	<i>144</i>	<i>151</i>
	<i>59%</i>	<i>60%</i>	<i>54%</i>	<i>55%</i>	<i>59%</i>

Tables 5 to 8 refer to the difference in the numbers of A aggregate students from the different population groups applying to UCT between 2007 and 2011. The average number of students with A aggregates was: African 25.6%, Coloured 22.8%, Indian 57.4% and whites 47.6%. Referring to the statistics from UCT's Faculty Report 2011 regarding Matric A level aggregate equivalents of South African first-time entering undergraduates at UCT according to race, one notes that there has been an increase in the total for South African African students which stands at 34% for 2011 compared to the total for South African white students at 49% and South African Indian students at 59%. These figures give support to the claim that there remains a lack of epistemological preparation of many black matriculants to cope with higher education.

Despite the increase of A aggregates among South African African students (from 22% in 2007 to 34% in 2011), in general the lack of adequate high school preparation for tertiary education is reflected in the high percentage of applicants who were not offered places (in 2011, 68,5% of South African Africans were not offered a place at UCT). For those that are enrolled, especially due to affirmative action policies, it is crucial that they are provided adequate support in their studies. When looking at expanding formal access to higher education institutions through the lens of affirmative action it becomes easy to ignore the problems of epistemological access. As Wally Morrow notes, “We promise our students higher education by offering them formal access to our higher education institutions, but we renege on our promise by being unable to offer them adequate epistemological access”(Morrow, 2007:41). I have included tables 5–8 to reinforce Morrow's plea that if we formally admit students to higher education institutions when we have

failed to offer them epistemological access, we not only betray their personal aspirations but we also undermine some of the central ideals of higher education.

In conclusion, I would like to quote James Sterba who argues that we could regard affirmative action as justified when the following requirements are met:

- “Race is used as a factor to select from the pool of applicants a sufficient number of qualified applicants to secure the educational benefits that flow from a racially and ethnically diverse student body.
- Only candidates are selected whose qualifications are such that when their selection is combined with a suitably designed educational enhancement program, they will normally turn out, within a reasonably short time, to be qualified as, or even more qualified than, their peers” (Cohen & Sterba, 2003:278).

Keeping Sterba's arguments in mind and the fact that not only does UCT's admissions policy move towards a more demographically representative student body, it also recognizes that learners from historically advantaged schools will tend to do better in the SC and NSC and students from disadvantaged schools (i.e. black schools) will tend to fare more poorly, I think UCT's admission policy is socially just. I will, however, expand on this in the next chapter.

CHAPTER 5

TENSIONS BETWEEN THE POLICIES OF AFFIRMATIVE ACTION, THE DEMANDS OF A KNOWLEDGE ECONOMY AND THE REQUIREMENTS OF HIGHER EDUCATION.

5.1 Introduction.

In this chapter, I will explore some of the tensions within affirmative action as well as between affirmative action and economic needs. I discuss some alternative criteria upon which affirmative action could be based, criteria such as an individual's socio-economic condition and will also look at the impact of inadequate high school preparation on the students' future in higher education. In conclusion, I will outline some aspects for further research.

The international agreement on affirmative action within both the International Labour Organisation and the United Nations is that its implementation should satisfy two basic conditions. One is that it should be of a corrective nature, and the other is that it should be temporary (Hermann, 2007:20). I would be hard put not to agree with Hermann who opines that the Employment Equity Act, and other such affirmative action policies, go much further than a remedy. These policies militate against the temporary nature of affirmative action because they require that the composition of the population be reflected at every job and education level. For Hermann, the problem that the corrective nature of affirmative action raises in South Africa is that the present design of affirmative action does not really effect the correction of imbalances; instead new imbalances are being created. Hermann (2007:21), states that only about 5% of the black elite would be advantaged by the Employment Equity Act, while an overwhelming 70% of the non-designated group presently employed would have to leave the labour market. He contends that there is an almost universal tendency to move away from the original purpose of affirmative action that is to achieve equality, to a model which uses demographic representativity to measure success and the subsequent permanent nature bestowed upon affirmative action (Hermann, 2007: 23).

5.2 Affirmative action: Temporary or here to stay?

Is there a time limit for affirmative action? This is a pertinent question that could be asked in any nation that applies affirmative action, but elicits very few answers. Affirmative action that aims for demographic representivity has resulted in bestowing it with a permanent nature as evidenced in a study by the Bureau of Market Research (Hermann, 2007:66). The reason why affirmative action based on demographics tends towards a permanent character is that demographics are constantly changing. If the goal for this year is achieved, the population composition would have changed next year, so affirmative action has to be applied all over again.

When looking at affirmative action as aiming at demographic representivity, one can ask “representivity of what”? Should there be demographic representivity of opportunities, or outcomes, or both? Thomas Sowell as quoted by Dirk Hermann (2007: 66) contends that representativity is a rare phenomenon in the world, since equal opportunities can be created within a relatively short time, but not equal outcomes. Sowell asserts that any temporary policy which has a time frame based on certain factors for it to be terminated, and if these factors have not been achieved anywhere in the world, may more aptly be regarded as permanent. His thoughts are echoed by Crain Soudien, writing in 2007, who stated that “South Africans are having to come to terms with the reality, as the Americans did in the post-bellum era, that its almost 350-year long history cannot be remade in a mere decade, and much less can its social formations, inscribed as they are in the fracturing language of race and class, be re-composed by 10 years of democracy” (Soudien, 2007:182).

In the 1960s, the United States implemented affirmative action programs to compensate African Americans for the 350 years of oppression wrought by slavery, disenfranchisement and discrimination. Affirmative action can begin to address past wrongs but cannot remedy them. Beverley Lindsay refers to Benjamin who wrote in 1997 that “the idea that thirty years of half-hearted and ill-defined compensatory programs is sufficient can only be considered nonsense at best, and a cruel hoax at worst” (Lindsay, 1997:525). Also from an American perspective, Carl Cohen writes, “Race preference is counterproductive in all institutions, but as long experience proves, it is particularly injurious to universities because it entails lowering of standards for

admission...widely practiced for three decades, race preference has seriously damaged our universities” (Cohen & Sterba, 2003:163). Thus, according to Cohen, affirmative action has undermined the academic integrity of universities.

India's affirmative action programme is the oldest and most comprehensive, aimed at addressing the hierarchical differences of the caste system. In order to limit political resistance and conflict, leaders of the disadvantaged groups even suggested that affirmative action should be limited to a ten-year period (Hermann, 2007:68). We should bear in mind that this was in 1949, but as yet in 2012, there is no end in sight for affirmative action in India. Affirmative action has such a strong hold there, that there are instances where people try to reclassify themselves as members of the designated groups (Hermann, 2007:68).

5.3 Three apexes of the affirmative action triangle: equality, representivity and redress.

In South Africa, the apartheid regime was overthrown by a historic agreement between Afrikaner and African nationalist leaders, which resulted in the consistent growth of the economy in favour of capital accumulation. In order to redress past wrongs, affirmative employment policies were adopted. However, not everyone of the target group benefited because the demand for skilled labour that accompanied this economic growth created opportunities for the schooled black middle class who managed to escape from the desolation of the rural areas and urban shack lands. According to Neville Alexander, these are, clearly, the real beneficiaries of an affirmative action strategy based on race, because they, i.e. the black middle class, alone have the qualifications comparable to those of their white counterparts and get preferential employment (Alexander, 2010:55). Alexander however rues the fact that, “To date, affirmative action has benefited only the black middle class and not the masses of people in urban and rural areas” (Hermann, 2007:17). In other words, representivity of both opportunities and outcomes through affirmative action is still an outcome to be achieved within a very long timeframe.

One tends to agree with Johan Rabe that redress must be achieved by leveling up and not leveling down, which means that those at the bottom must move upwards and equality must not

be achieved by making everyone equally disadvantaged (Rabe, 2001:399). What Rabe implies is that the disadvantaged individuals should make the necessary efforts to better their position albeit with the help of affirmative action policies, but an attempt should be made to attain this without unfair discrimination against the previously advantaged individuals.

Because of the inherent difficulty in proving grades of disadvantage suffered by the previously disadvantaged races in South Africa, the degree of representivity, rather than disadvantage itself, determines the need for affirmative action. This is done on the basis that race and class overlap to a large extent. Representivity is the basis of calculating possible changes in employment as a result of affirmative action in South Africa. If the number of whites in the workplace were reduced until the composition of the population was reflected in the workplace, unemployment amongst whites would increase to 76,05%. These whites would need to be replaced by blacks in order to ensure representivity in the workplace. This would translate into only 4,3% of blacks enjoying any advantage in terms of employment as a result of affirmative action (Hermann, 2007:64). This is the shortcoming of affirmative action based on representivity.

Judith February utilizes the example of *Rugnath v. University of Cape Town* to show how the rationality and constitutionality of the affirmative action policy came under scrutiny. In 2005, Rugnath, a South African Indian challenged the admission policy in the UCT school of medicine, contending that the decision not to admit him constituted unfair racial discrimination. Rugnath's academic record was superior to other South African Indian, African, Coloured and white students who had been admitted to the program³. UCT responded by explaining that its admission policy gave effect to the statutory requirement that appropriate measures for the redress of past inequalities be provided. It added that conditions prevailing at schools for African and Coloured children are worse than at other schools, and that therefore adjustments to entry requirements are justified. The court dismissed the application, stating that Section 37(4) of the Higher Education Act enabled the university to formulate its own admissions standards and requirements as long as they redressed past inequalities with fairness and nondiscrimination. I wonder if perhaps UCT had filled its "quota" of South African Indian students and therefore

³ Right now a similar case is winding its way to the US Supreme Court, in *Fisher vs. the University of Texas*. Although the court upheld the use of race in admissions in a 2003 ruling, indications are that consideration of race for admission remains a highly contested issue.

refused admission to Rugnath. February notes that in many legal cases in South Africa, the applicant contests the access to the benefits of affirmative action but not the idea of formal affirmative action itself (February, 2010: 80). This example makes one tend to concur with Hermann, who believes fairness is not a matter of brute representivity. He argues that merit must be rewarded, absolute racial exclusion is not acceptable, and if you help white achievers, it does not mean that you are committing treason against black disadvantaged people (Hermann, 2007:19).

As James Sterba notes, (Cohen & Sterba, 2003:232) “to be justified, affirmative action programmes must favour only candidates whose qualifications are such that when their selection is combined with a suitably designed educational enhancement program, they will normally turn out, within a reasonably short time, to be as qualified, or even more qualified, than their peers”. The idea that Sterba seems to be putting across is that epistemological access in conjunction with formal access afforded by affirmative action would address the effects of past injustices in a meaningful way by benefiting disadvantaged candidates. I concur with Sterba as this would facilitate redress without the previously disadvantaged individuals carrying the stigma of being recipients of affirmative action largesse.

5.4 Affirmative action in a knowledge economy: Redress for inequality in education or yield to labour market needs?

February contends that historically disadvantaged communities consider affirmative action policies necessary to bring about parity of knowledge and skill. Most importantly, though, the arguments in favour of affirmative action in South African higher education are centered on equality of access, the implication being that this equalizing of opportunity opens the doors to economic and professional access in turn. (February, 2010:83)

However, with the adoption of the National Plan for Higher Education in 2001 as well as the merging of institutions of higher education, the basic policy commitments shifted from equity and redress to efficiency and responsiveness, with efficiency measured in terms of student throughputs. Du Toit quotes Aslam Fataar describing this shift as follows:

The discourse shifted rapidly from a strong equality-driven focus to an alignment with the government's macro development and growth path....By the late 1990s the growth and human resources discourse had trumped discourses of equality and redress in the higher education policy field.... Equity and redress, prominent in the pre-1997 policy moment, were secondary to the more primary task of making higher education more responsive to the labour market with its attendant requirements for knowledge workers and innovation (Du Toit, 2010: 96).

Fataar's quote could be read in conjunction with what Garrat et al (2003:447) mention in their study that:

The overwhelming emphasis is upon the need to cultivate the sorts of "standards" and "performance" required by a globalised economy. The economic imperative of globalisation suggests that any renewed optimism for greater human solidarity, respect and fairness through the development of cosmopolitan citizenship-is at best a wishful fancy and at worst hopelessly utopian..... there is no reference within the economic discourse to the equally vital need to promote cultural diversity or community learning.

Thus one notes that the implications for affirmative action with this shift to the needs of a global, knowledge based economy, is that the social justice aspects like redress and equality of affirmative action get blurred and market ideologies take first preference. The emphasis of affirmative action here is to get as many black graduates into the labour market as efficiently as possible. This is not necessarily a bad thing, but we should be concerned if it is at the expense of cultivating a society imbued with the ideals of social justice.

Crain Soudien posits that the government's difficulties in policy implementation of affirmative action emanate from, on the one hand, its social democratic political orientation and on the other, its commitment to a market-driven competition economic philosophy (Soudien, 2007:184). Furthermore, Soudien argues that globalizing pressures have propelled South African education policies in the direction of international universalism and placed these policies within the parameters set by the World Bank regarding the proportion of the national budget devoted to social welfare. He adds that "the challenge of South Africa's transition is rooted in financial and resource constraints which could be the reason for policy inconsistencies in the implementation

of new laws which lie in the conflation of equity and equality” (Soudien, 2007:185). These constraints do not necessarily point to a market oriented stance, but the point I am making here is that if the World Bank sets parameters to funding for education in South Africa, it may also get affirmative action to be more market economy focused for financial efficiency, rather than being equity and redress- based which are expensive undertakings on the scale needed in South Africa.

Hermann also states that in a study by Du Toit, almost two-thirds of South Africans supported the following statement: “In order to ensure that the youth receive the best possible education, school teachers should be appointed only on merit” (Hermann, 2007:75). This suggests that South Africans feel a need for quality education and resist political interference that could undermine learning. It clearly indicates that the respondents placed more value on quality education in comparison with values associated with affirmative action. The response also confirms that South Africans realise that real redress take place through education. Of course, a more charitable interpretation could be that the survey respondents don’t hold with affirmative action for teachers, but may support affirmative action policies aimed at learners.

Ian Scott questions if higher education is meeting South Africa's need for high-level human resources. He bases this question on a 2004 report on the first decade of post-apartheid education, by South Africa's Council on Higher Education which noted: “Without ... expanding opportunities for both young and adult learners, sustainable growth will be difficult, and competitive participation in the global economy well-nigh impossible, to achieve” (Scott, 2010: 230). So affirmative action policies cannot ignore the need to produce competent graduates who can participate in a competitive economy with other countries and so stimulate economic growth for South Africa. However, to achieve this, opportunities in higher education must be expanded. What that means is that affirmative action policies must expand formal access coupled with vigorous practices that strengthen epistemological access.

5.5 Higher education institutions dependent on high school preparation.

Higher education is dependent on external inputs like public education funding as well as throughput from the secondary education system, which provides candidates for admissions to institutions of higher education. Du Toit quotes John Kane-Berman's summary of the secondary school system's failure in producing an improved applicant pool as follows:

Of more than one million pupils in school only a third passed matric⁴ in 2006 and only 8% qualified for university. In 1994, altogether 392,434 Africans wrote the senior certificate exams, of whom 51,016 (13%) obtained university-entrance passes. In 2006, only 51,180 (11,6%) out of 442,800 African students who wrote the senior certificate examinations obtained university-entrance passes.... The lack of progress is all the more alarming if one remembers that discriminatory funding no longer applies... Today there is no longer any racial discrimination in how the state allocates resources to education (Du Toit, 2010:99).

Although there is no longer discriminatory funding based solely on race, as in the apartheid era, the current government does apply discriminatory funding as part of its redress thrust. Schools are classified into 5 quintiles, according to the socio-economic standing of the learners and parents, with quintile 1 receiving more funding than quintile 5 schools. Even though there is no direct reference to race, there is a huge overlap with quintile 1 schools being almost all previously black schools and quintile 5 being almost all erstwhile Model C schools.

Despite the fact that there is preferential funding for poor schools, closer analysis would most probably show that these candidates for university entrance came from the same set of largely urban-based schools which are now also serving the new black middle class and not from the rural and township schools where the vast majority of African children are being educated. Thus it is this set of deracialised elite schools on which higher education depends for the entrants to its own small, deracialised elite system. As long as this correlation continues, it will hamper equity of access to higher education. The problem with the poor matriculation rates of black

⁴ 'Matric' is the highest secondary-level qualification, comparable to the British Sixth Form or the American twelfth grade. Not all matriculates qualify for university admission, which is traditionally known as 'matriculation exemption'. It should be noted that while matriculation exemption has been the traditional university entrance requirement, increasing numbers of students with so-called matriculation endorsements have also been admitted to higher-education institutions. Moreover, the traditional matriculation exemption requirement itself is due to be phased out, so that universities in future have to rely on setting their own admission tests (Du Toit, 2010:109).

students is that higher education institutions, despite their affirmative action policies with their race-based differential for entry requirements, still cannot recruit enough qualifying black students. This massively complicates and extends the issue of representivity.

Less than 6% of the students who qualify for university entrance pass mathematics and physical science. These passing grades are largely accounted for by the white minority students and a very small percentage of black middle class students who are the products of desegregated, formerly white, public schools (Jansen, 2010:129). Simply put, affirmative action policies have implications for higher education as the pool of high school students qualifying for university entrance is small and weak, leaving most black students falling short at a critical point in time where very important life chances are allocated.

Jansen notes that an important factor in undermining the access to universities afforded to black students is the weak preparation of high school students for higher education (Jansen, 2010:131). The hurdle between high school and university education is insurmountable for students who barely succeed in their matric examinations. After the initial euphoria of gaining formal access to universities, these students are usually faced with academic failure and its resultant institutional exclusion or individual dropping-out. Affirmative action policies thus can have the unintended consequence of setting up black students for failure.

Nan Yeld quotes a study of the entry-level performance in mathematics and academic literacy of 5780 students at seven South African higher education institutions which concluded that even the most selective institutions are admitting a significant number of students whose levels of performance was alarmingly low. This study also gave credence to the fact that there was a very low level of preparedness of incoming students to South African higher education institutions (Yeld, 2010:177), and thus making the issue of epistemological access crucial to affirmative action policies.

5.6 Aspects/issues that need further research

Some honesty is required with regards to the negative aspects of affirmative action, aspects frequently denied due to the fear that it would cause affirmative action to be discontinued. Not accepting that affirmative action is a flawed instrument of social change is a detriment to the successful achievement of the aim. It should, therefore be accepted that affirmative action is necessary to remedy some of the disadvantages, but if it is injudiciously implemented then it can cause more harm than good (Rabe, 2001:398). The real debate should involve the search for other more effective and just measures that are capable of helping the disadvantaged people in society, i.e. affirmative action policies that really do achieve redress and greater representivity.

It is difficult to achieve real mass redress if all those concerned are preoccupied only with demographic representivity. Presently there is a global drift towards focusing on the socio-economic position of people and a moving away from representivity. Namibia has already made provision for this, and the United Nations' latest report on human development recommends it for America (Hermann, 2007:65). He notes that in America, there is a move away from representivity, with a focus more on communities and their socio-economic position.

Hermann (2007:55) posits that a potentially flawed principle on which affirmative action is based is that there must be perpetrators (whites) and victims (blacks). The perpetrators carry the guilt and need to pay their debt and the victims feel that they have a right to claim. It is the perpetrators' (whites) responsibility to rescue the victims (blacks) from their predicament. This can be as disempowering for the victim as it is for the perpetrator, because the victim can easily lose initiative. The victim may come to rely on empowerment solely by means of the legislation intended to accelerate the process for paying the debt. Others have referred to it as engendering a culture of entitlement which stifles entrepreneurship and a robust work ethic (Morrow, 2009:71).

I tend to disagree with Hermann who comments that if young people could be exempted from affirmative action, then affirmative action would naturally come to an end. He argues that children, who started school in 1994, completed their entire school careers in the "new South Africa" should have been the first group to be exempt from affirmative action. He quotes the Du Toit study (Hermann, 2007:70), which was done among all South Africans of all races, in which 53,7% of people between the ages 18-24 said that young people should be exempt from

affirmative action. But, as I have stated earlier in this chapter, centuries of structured economic disadvantage and disruption of family groupings through the migrant worker system cannot be redressed in a matter of decades – let alone years.

Dr Neville Alexander endorses affirmative action but does not believe in it being based on race.

One needs to move away from race-based affirmative action before it leads to unforeseen consequences in the future. We need to apply affirmative action in such a way that it does not repeat the race-based identities of the past. The great overlap of race and identity in South Africa makes such an approach possible. One can look at income levels, the schools that people have come from, and then determine whether they were disadvantaged". (Hermann, 2007:85).

Since race and socio-economic class overlap to such an extent, we can omit reference to "Black", "Coloured" or "Indian" and still target disadvantaged students when applying affirmative action policies. Affirmative action could consider the socio-economic position of individuals, rather than concentrating on their race only. Poverty should be also a criterion for affirmative action, with no racial distinction between the victims thereof.

Hermann (2007:86) notes that legislation in Namibia identifies disadvantaged groups according to gender, and socio-economic circumstances, instead of race and ethnicity. In America, a new policy is being proposed that would change preference based on race to preference based on class. People in Malaysia are demanding that the socio-economic conditions of students rather than their race, be used as a basis for preferential treatment. The Supreme Court in India agreed to extend preferences to other disadvantaged groups but recommended that certain exclusions be made for socio-economically advanced persons. Based on these developments, Hermann suggests that though the vast majority of the poor in South Africa are black, a focus on the applicant's socio-economic status would mean that poor whites are included in programmes for upliftment. The non-designated group will therefore not feel completely separated from the system. (Hermann, 2007:108)

Opponents of affirmative action in education maintain that it creates a culture of entitlement. February quotes Sipho Seepe (February, 2010:82) as writing that "the new black elite is spared

the rigors of development. To demand excellence is regarded as blaming the victim and to deny the helplessness imposed by the heritage of oppression.” Seepe argues that ill-conceived and poorly implemented affirmative action policies impose a victim-versus-oppressor mindset and produces a new black generation lacking the self-confidence to compete academically, thus completing the cycle of entitlement.

More research is needed to be undertaken on alternative admissions procedures that will provide a route into higher education for previously disadvantaged students, especially if their educational needs could be identified and fulfilled. I agree with Yeld, who argues that it is very important to think about alternative assessment projects, particularly in South Africa, which is characterized by a generally low level of educational achievement at high school (Yeld, 2010:185). Yeld bases her argument on the Alternative Admissions Research Project (AARP), based in Cape Town, because it is used, to some extent at least, by almost all higher-education institutions in South Africa. The AARP test has been set up to provide an access route for applicants whose final school results might not reveal their full potential. The results on the test are used in the process of making Early Offers and securing Financial Aid and Scholarships. Furthermore the tests are the basis for UCT's "Senate's discretion" mechanism for enabling applicants without an exemption to be admitted to degree studies. Students with good matric results are not disadvantaged in any way by writing the tests. All first-time entering undergraduate applicants are invited to write the tests at one of the various testing centres around the country. Applicants to the UCT Humanities Faculty and the Health Science Faculty are required to write the tests as part of their admissions process (<http://www.aarp.ac.za/uct/project.htm>). The AARP consistently makes the point in annual reports that good performance on either the AARP assessments or the matric examinations, or both, could be used to predict success in higher education (Yeld, 2010:185).

5.7 Conclusion.

The fact that the number of Africans with university- entrance matric passes has remained constant at about 50,000 annually raises serious questions about the significance and function of affirmative action based admission policies. This small elite pool of Africans is not growing, so fiddling with admission procedures or ratcheting up admission targets is unlikely to generate demographic representivity (Du Toit, 2010: 104). Largely, the beneficiaries of these affirmative action measures would most likely be products of an elite secondary schooling system; children of black middle class parents who have themselves attended university. Thus affirmative action policies based on apartheid era racial categories will succeed mainly in providing an ideological validation for privileging established black elite groups, at the expense of the African majority.

South African universities cannot play their role in advancing the social mobility of black high school graduates without the school system being fixed. There are too few matriculants with the required skills and grades to enter university. If this trend persists, universities will succumb to the pressure and start admitting weaker students in larger numbers (Jansen, 2010:134), undermining their own academic integrity and, by implication, the value of their degrees.

An important aspect to bear in mind is that until schooling improves, it is imperative that higher education institutions continue to learn to infer what matric examination results mean by using school and individual biographical data, to develop tests and procedures that elicit different performances from those yielded by traditional achievement tests, and to develop appropriate curriculum routes that adequately meet the educational needs of students and place students into these routes (Yeld, 2010:186).

The South African higher education sector has a responsibility to review the suitability of its admissions and support methods for meeting the country's needs. According to Ian Scott, despite major changes in the student intake, particularly in terms of their linguistic and educational backgrounds, the system is still dominated by curriculum structures and teaching approaches that were established decades ago, for a very different and largely homogenous student body (Scott, 2010: 236). He argues that curricular reform will be necessary in order to accommodate student diversity and facilitate responsible affirmative action, and is thus a key element of the higher education system's contribution to transformation. It would be therefore important to do further

research on what such curricular reform for a heterogeneous student body might entail while keeping in mind the shifts in the global economy and the need for academic rigor.

Due to the problem of causality and the fact that affirmative action has both positive and negative effects, it is thus difficult to conclusively prove whether it is beneficial or not, or if it is capable of creating more equality of opportunity for disadvantaged groups. The uncertainty whether affirmative action is beneficial or not, does not mean that it should not be implemented in South Africa, as the alternative of not doing anything is unacceptable and at present there are no alternatives (Rabe, 2001:397). However, more longitudinal research needs to be done on the complex consequences of affirmative action, on both an individual level (with issues of identity and career mobility), and on a broader socio-economic level (with issues of economic growth and social welfare).

Finally, I would like to conclude by reiterating the following views of Jonathan Jansen and Mamphela Ramphele regarding affirmative action and its application to higher education in South Africa. Writing in *Business Day* Jansen (2011), says that the uneasy thing for racial nationalists about replacing race-based admissions policies with socio-economic status-based admissions policies as the basis for university access is that it will place the poor black student from the township alongside the poor white student from an economically-challenged suburb. Yet, demographically this would mean that the vast majority of the applicants with academic potential, so measured, would be black. And so for those insisting on some kind of social justice to be attained for black people, the problem is overcome. For others, who struggle against the class elitism of universities such as UCT, or agitate for symbols of conciliation between black and white, the case of the poor white student achieves this goal as well. He argues that using socio-economic status could be a perfectly sensible alternative to race-based admission policies that overcomes the obvious difficulties of determining access to university on the basis of race. It should not be difficult to evaluate the social and economic backgrounds of the applicants, and therefore gain a real-time account of disadvantage measured against academic potential to determine access to university. Jansen asserts that race-based admissions policies fail to recognise that a shift has taken place within the public school sector in South Africa. We now have a small number of racially integrated public and private schools in South Africa, where the

borders of race have been largely overcome, in the social relationships among children as well as in the academic achievement of this class of students. For these young people reference to their racial selves is not only met with irritation, it is, to these youth, odd. It is hypocritical to use “race” as an admission standard for black students from these well-established schools; these youth are supposed to do well and what really determines their access to our best universities is not their colour, but their class status. According to Jansen, the real measure of equity, therefore, is the extent to which elite South African universities bring in first-generation students from poor households. And that means looking beyond racial appearance (Jansen, 2011).

As affirmative action policies are formulated and implemented Ramphela suggests that attention be paid to the following questions:

- When the colour-based classification system has been omitted, how will officials identify affirmative action recipients?
- Should self-classification be permitted?
- What other means are appropriate?

She further suggests five themes to consider before negotiating affirmative action policies. First, she recommends that policy makers acknowledge the importance of redress to correct the distortions that are part of apartheid’s legacy. Second, she contends that affirmative action must be based on a foundation of equity. Third, Ramphela posits that policy deliberations must reflect the fact that affirmative action cannot cure all past ills or undo all past wrongs and suggests that one may have to make peace with the past. Fourth, while noting that affirmative action definitely has a place in society, she maintains that individuals are ultimately responsible for their own growth and development. Last, she maintains that clear achievement goals and timeframes must be integral parts of affirmative action programs, stressing the point that such programs should not be sustained indefinitely. She holds the view that affirmative action is a strategy which has no inherent moral or ethical basis. Such a basis has to be created by locating it in a well thought-out and articulated equity framework (Lindsay, 1997:528).

In summary, affirmative action in admissions to higher education in South Africa is essential for economic growth as well as for social justice and development. However, it comes at a cost. If

we are to ensure that it is responsible and effective, affirmative action requires investment, not only of funds but more importantly of will, energy and creativity in developing an educational process that can unlock the talent present in all South Africa's ethnic and class groups.

In conclusion, I argue that universities need to be more demographically representative and facilitate access to previously disadvantaged individuals by adjusting entry requirements, but compromising on the value of their qualifications by adjusting their exit criteria in line with racial representivity would be detrimental to the very worth of higher education as a social good, the dignity of the individual graduate, as well as the economic growth of the country.

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