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**Exaggerated responses to student protest: Underlying historical, cultural and institutional practices in a historically white Afrikaans university**

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**Abbreviations:**

<b>SA</b>	- <b>South Africa</b>
<b>SAC</b>	- <b>South African College</b>
<b>UCGH</b>	- <b>University of Cape of Good Hope</b>
<b>UNISA</b>	- <b>University of South Africa</b>
<b>TTI</b>	- <b>Transvaal Technical Institute</b>
<b>TUC</b>	- <b>Transvaal University College</b>
<b>TUK</b>	- <b>Transvaal University Kollege</b>
<b>WCE</b>	- <b>Wits Council on Education</b>
<b>HE</b>	- <b>Higher Education</b>
<b>UCT</b>	- <b>University of Cape Town</b>
<b>Wits</b>	- <b>Witwatersrand University</b>
<b>UP</b>	- <b>University of Pretoria</b>
<b>FMF</b>	- <b>FeesMustFall</b>
<b>RMF</b>	- <b>RhodesMustFall</b>
<b>AMF</b>	- <b>Afrikaans Must Fall</b>
<b>NUSAS</b>	- <b>National Union of South African Students</b>
<b>SASO</b>	- <b>South African Students Organization</b>
<b>SASCO</b>	- <b>South African Students Congress</b>
<b>AZASO</b>	- <b>Azanian Students Organization</b>
<b>OS</b>	- <b>OpenStellies</b>
<b>SRCs</b>	- <b>Student Representative Councils</b>
<b>EC</b>	- <b>Education Charter</b>
<b>DHET</b>	- <b>Department of Higher Education</b>
<b>FC</b>	- <b>Freedom Charter</b>
<b>EFFSC</b>	- <b>Economic Freedom Fighters Students</b>
<b>Command</b>	

## **Abstract**

In 2015, institutions of higher learning across South Africa were rocked by nationwide student protests demanding socio-economic and socio-political justice through a new language now commonly known as 'Fallism'. Fallism was/is an ideological and political undertaking by mostly black students in post-colonial and post-Apartheid historically white universities, to bring about the 'fall' of the vestiges of white privilege lingering in the corridors of such higher education institutions in South Africa. Starting in April 2015 with the #RhodesMustFall student movement at the University of Cape Town, the language of "must fall" soon became a new way of organizing student activists across the country; and by the end of 2015, all higher education institutions witnessed the nation-wide #FeesMustFall protests pushing for a national shutdown in demand of free education.

The #FeesMustFall campaign are said to have gained momentum at Witwatersrand University on 14 of October 2015, following the institutions plans of a 10% tuition fee hike and subsequently resulted in a shutdown of the institution by the Student Representative Council. In days to follow, almost all institutions of higher learning had joined in a national shutdown, demanding a 0% increment on tuition and accommodation fees, alongside the longstanding demand for 'free higher education' and the slow pace of transformation in some of South Africa's higher education universities.

Using 'new' decolonial frameworks to place today's demand for social justice in institutions of higher learning, protesting students, however, came/come under fire for 'infringing' on the rights of other students, and the protests were/are often met with abrasive use of force by university authorities and the state. In some cases, the universities - often in collaboration with the state (police, courts etc.) would mete out 'violence' to clamp down on student protests, which they largely defined as 'violent'. Any attempt to understand the above challenges across higher education institutions needs to take historical precedence into account by framing the discussion of South Africa's higher education landscape against the backdrop of the entrenchment of inequality and exclusion in South Africa's higher education system conceived and birthed out of colonialism and apartheid respectively (Xaba, 2017).



# Chapter One:

## Introduction to the Study

### 1.1 Introduction

This chapter introduces the study to the research phenomenon by providing a historical context of higher education developments in South Africa. This is done with some focus on broader socio-political conflict which have existed in society, and which lend themselves to the higher education space. At the center of these conflicts has been the role of language – the elevation of Dutch/Afrikaans in particular – against the backdrop of colonial and apartheid advancements which may help shape understanding around students protests and violence in South African higher education institutions since 2015. To be clear, the following discussion is not intended to be a comprehensive account of colonial establishment and apartheid entrenchment of inequality in South Africa's Higher Education system. Instead, it is to highlight key dynamics that have shaped the higher education sector in a manner that helps us explain historical and institutional factors in violence.

### 1.2 The Colonial Roots of South Africa's Higher Education

Maurice Boucher's doctoral thesis, entitled "The University of the Cape of Good Hope and the University of South Africa, 1873- 1946" provides a detailed study of the University of Cape of Good Hope (UCGH) as the first university to be established against the colonial context of higher education developments in the Cape colony. Most notable, the thesis contends that the first visible expression of inequality in South Africa's schooling system was established by British colonialists in the Cape Colony with the introduction of an education system, which separated the children of slaves from the children of slave masters (Boucher, 1974; Xaba, 2017). The nexus of this system was to provide education based on a web of superiority-inferiority complexes in relation to 'designated' racial roles (master/slave) in a colonial society (Xaba, 2017). This colonial logic would later be the bedrock of inequality in South Africa's basic and higher education developments which – over time – inform(ed) a broader racist and exclusionary educational framework through the systemic exclusion of previously disadvantaged groups in South Africa (Boucher. 174: Strydom, 2013).

Having initially begun in the Cape colony, Strydom (2013) notes that South Africa's higher education development underwent a period of contentious expansion into all four colonies of colonial South Africa. This was accompanied by increasing tensions between the English and Dutch settlers primarily rooted in cultural and language status, the elevation of Dutch in particular (Strydom, 2013). The demand to elevate the 'Dutch' language gained momentum following the tensions arising from the Anglo-Boer War (1899-1902). Moreover, these cultural and linguistic cleavages would subsequently lend themselves in varying ways to the university question/space (Strydom, 2013).

Strydom (2013) further observes that the growth and expansion of higher education was coupled with a promotion of a new white identity termed "Broad South Africanism" (Strydom, 2013: 48). Broad South Africanism was an attempt to bridge the cultural and linguistic cleavages amongst the white English and white Dutch speaking community following the aftermath of Anglo-Boer war (Strydom, 2013). However, she further observes that higher education remained a terrain embattled constantly over white cultural and linguistic differences amplified by the refusal of the University of Cape of Good Hope to examine students in Dutch (Strydom, 2012: 48-52).

According to Magubane (1997), the promotion of Broad South Africanism was not welcomed neatly amongst white South Africans, especially amongst the Dutch community which leaned towards the growing influence of 'Afrikaner Nationalism' (Magubane, 1997). The rise of Afrikaner Nationalism is not without socio-economic context. The findings of the Carnegie Commission (1932), a commission set up to study the economic effects of the Great Depression on white South Africans, pointed to a growing number of unskilled poor white Afrikaners who had to be forced off their farms into the urban cities without the necessary skills to assert themselves against a white English urbanized citizenry and the economic weight of South Africa's political economy (Report of the Carnegie Commission, 1932; Magubane, 1997).

This led to the development of 'the poor white problem' which would later be used to accelerate Afrikaner Nationalism (Report of the Carnegie Commission, 1932; Magubane, 1997). Cited in SA history online (2012), Albert Grundlingh links the rise of Afrikaner Nationalism to the depression of the early 1930s which forced a considerable number of Afrikaners off the land and into the cities. Many of them lacked the necessary skills to assert themselves in the new and competitive urban environment and were relegated to relatively low-paid positions in the growing mining sector dominated by blacks" (SA history online, 2012; 2019).

As a result, the broader racial socio-economic complexities underpinning the poor white problem exposed the polarized socio-economic and socio-political disjuncture of South Africa's racial economic power structure. More importantly, the 'poor white problem' exposed the economic disparities of the white race itself which placed Afrikaans community below their English counterparts. According to Vatcher (1965: 41), "this resulted in a growing assumption about Afrikaner inferiority in the white community and establishments". Moreover, this feeling of inferiority would be later be used as the fuel that would drive Afrikaner Nationalism to unimaginable heights, reaching its prime expression following the victory of the National Party in 1948 (Vatcher, 1965). According to Mthembu (1996) It is the rising Afrikaner Nationalism and the introduction of Apartheid which would give the Afrikaans language and culture dominance.

The introduction of 'Apartheid' (segregated development) as an ideology birthed from colonial logic (segregation) had its thinkers reimagine and valorize the policies of exclusion into four racial categories which were divided into superiority and inferiority complexities: White, Indian, Colored and Black respectively (Posel, 2001). In this sense, Apartheid existed as the machinery to align the different socio-economic hierarchies of white English and Dutch South Africans (i.e., the poor white problem) in relation to the Union State they jointly occupied (Posel, 2001).

According to Mbewu (2002), Apartheid was also introduced to further reinforce the racial superiority - inferiority complexes existing in South Africa at the time. Politically fixated on a racist ideology of separate development, the apartheid government introduced social policies and laws aimed at enforcing a racially hierarchized South African society more generally (Posel, 2001).

As a primary institution of social development, the Apartheid Government extended its logic of separate development to educational institutions through the passing of the Bantu Education Act of 1955 (see Mbamba 1982; Christopher 1994) and the Extension of Universities Act of 1959, which criminalized the enrolment of black students into open (white) universities (Posel, 2001). Read together, the Bantu Education Act (1955) and the Extension of Universities Act (1959) laid the framework for valorizing racial exclusion by introducing laws and paradigms which – in the case of higher education institutions – would later result in the various disparities (infrastructural, financial, racial/cultural etc.) between historically (and currently) 'white' universities and historically (and currently) 'black' universities today.

Although the introduction of democracy in South Africa (1994) repealed Apartheid racist laws and practices (some of which have been mentioned above) and opened up access to higher education for all 'qualifying students' regardless of race, sex or religious affiliation (Naidoo, 2015); Badat (2010) establishes that the relationship between democracy and equal access is not enough to overcome socio-economic and socio-political patterns of exclusion which has been at the heart of student protests in 2015 (Mabasa, 2017). According to Mabasa (2017) this is because universities in general, and historically white universities for purposes of this research study, maintain deeply rooted colonial and Apartheid historical, cultural, and institutional practices which, as students in historically white universities have argued, continue to exclude historically disadvantaged groups and in effect alienate non-white students in general - with black students in particular being the most affected (Badat, 2010; #RMF, 2015; Mabasa, 2017).

However, in trying to resolve some of these systemic inequities in post-apartheid South Africa, the rationale for increased access to higher education for previously disadvantaged groups has been framed largely in 'economic terms' (Ndlovu-Gatsheni, 2017). This subjects the democratic project and the future of higher education to a series of compromises that hinder transformation objectives which fall outside of the economic scope (Ndlovu-Gatsheni, 2017). It results in "handing over the ideals of the Freedom Charter [1955] and any possibility of opening the doors of learning and culture to all, to the logic of the market" (Naidoo, 2015).

Therefore, as embodiments of colonial expansion, racial hierarchies, laws, and practices, it is no surprise that in 2015 universities across the country, and historically white universities specifically, became a site of political resistance and student protests mostly by – though not exclusively – black students. These students engaged in an ideological, philosophical, and political discourse which became known as 'Fallism/the Fallist movement' that was new to post-colonial and post-apartheid South African higher education and student politics (Duncan, 2016).

As will be shown below, while much has been written on student protests in institutions of higher learning - and contrasting the inequities of historically white and historically black institutions in South Africa (resources, infrastructure, sound financial governance structures etc.) - the literature on student protests in the main attempt to describe and analyze these protests predominantly using the logic of economic rationality, which narrows the whole discourse of student protests since 2015 to the matter of fees and some narrow aspects of curriculum development.

In addition, South African mainstream media has also contributed to the delegitimization of student concerns and tactics by describing the actions of students in its sensational form and concerned with reports of “violence/violent student protests” than with their genuine call for social justice (Dlamini, 2015). Collectively, they are complicit in undermining other legitimate concerns and demands for social justice and public accountability which fall outside the scope of economic rationality. Against these voices of influence, Naidoo (2015) provides an insightful reflection on ‘violence’ by considering more meaningfully the immediate struggle against fee increments as part of “a much bigger struggle against a system that they [students] characterise as ‘violent’ and speak of as experiencing in ‘violent’ forms in their [our] everyday lives” (Naidoo, 2015).

Moreover, with the focus having been mainly on the actions and demands of students, not enough studies have investigated how institutions of higher learning operated internally in times of crisis especially when the integrity of the institution was brought into question; and how an understanding of that can explain the turn of events during – and after - the student protests. Looking closely at historically white universities - against the backdrop of the historical (and current) socio-political trajectory of higher education institutions in South Africa - there is a need to investigate the role of institutional culture and governance in trying to explain ‘violence’ during some student protests.

This study contends that analyzing these above mentioned historical and cultural dynamics, and examining the underlying institutional variations, will contribute to the literature on higher education governance by providing for alternative understanding of this complex period in higher education South Africa since 2015, and one which embraces new thinking about social progress in higher education. It is the main contention of this research that although historically white and Afrikaans universities are discussed in the literature interchangeably as historically white universities in general, patterns and approaches to institutional governance differ in historically Afrikaans institutions which lend themselves to other forms of ‘violence’ during student protests which are ignored in the literature and its leaning on economic rationality.

### **1.3 Research problem statement**

Centered around students protest alone, the literature gives little attention to how institutions at times are governed and act in contradiction with the ethos of democracy and ensuring that universities remain a space of critical inquiry. As a result, the literature underestimates the historical, cultural, and racist foundations of higher education and how this in turn inform different approaches to institutional governance in historically white Afrikaans universities which may potentially contribute to violent outcomes during student protests.

#### **1.4 Research Questions**

The literature in methodology describes a research question as the central inquiry which guides the research around/toward a particular aim/understanding (Creswell, 2013). Moreover, the research question determines the methodology, inquiry, analysis, and reporting of the research (Creswell, 2013). The research question guiding this research is:

What are the underlying historical, cultural, and institutional practices in historically white Afrikaans universities that inform strategies and approaches to institutional governance and exaggerated responses to student protests which may lead to violence?

The following sub-questions will help this research respond to the primary research question above:

- In what ways have colonialism and apartheid shaped South Africa's higher education landscape and its response to students' disgruntlement?
- What were the various relationship(s) between Apartheid higher education and universities which have shaped various cultures, patterns, and approaches to institutional governance?
- In what ways have these institutional culture, patterns, and approaches to institutional governance informed University responses to student protests?
- What explains violence in student protests across different institution generally, and historically Afrikaans universities in particular?

#### **1.5 Research objectives**

The aim of this research is to identify the underlying historical, cultural, and institutional practices in historically white Afrikaans universities that inform exaggerated strategies and approaches of institutional governance in response to student protests even where no direct threat is posed and which, in turn, can potentially lead to violent student protests in historically white [Afrikaans] universities.

In support of this aim, the study has the following objectives:

- To understand how the history of South African universities has shaped the development of higher education governance
- To investigate the relationship between institutional culture and institutional governance in historically Afrikaans institutions and its relevance at a theoretical level

- To identify and understand how violence is defined and given effect to; and how, in turn, protest is halted, and complex debates concerning the university system are frown upon or ended through various forms and approaches to institutional governance
- To explore alternative forms of violence - ignored in the main - which may potentially contribute to violent student protests
- To propose possible solutions for addressing protest within historically white Afrikaans institutions and recommendations for future research.

## **1.6 Study delimitation**

The scope of this research is focused on the University of Pretoria as a case study which will be used to explain the phenomenon of exaggerated responses to student protest which may lead to violent outcomes even when no direct threat is posed. This study is further limited to the University of Pretoria and its strategies and approaches to institution governance during the period of 2015- 2017 as it relates to student protest and student politics more broadly in achieving its goals on democratic and effective institutional governance.

The data is collected from both primary and secondary sources. Primary data was sourced from the official communique of student organizations (TuksUprising, SASCO, EFFSC, SRC); official university communication/statements released to students and staff; official institutional reports, official policies, reflections, journal, and various social-media post (Facebook/twitter) from both university and activists/students of the said case study- all of which is in the public domain and publicly available.

Secondary data was sourced from the existing literature, books, journals, periodicals, statements, social media posts and reflections which reflect on the period in question to provide relevant insight into the underlying issues unique to the study focus.

## **1.7 Chapter outline**

Chapter one introduces the study. It provides a brief overview of the foundation of higher education developments and how various legislation has impacted the sector over time. It provides the study justification and lays out the chapters of the following research study.

Chapter two provides a theoretical framework to be used for the case study. Two theories are considered. The state of exception as presented by Giorgio Agamben and supplemented by the school of historical institutionalism to account for the historical evolution of phenomena.

Chapter three gives an overview of South Africa's higher education developments. It traces the foundations of South Africa's university system against the colonial and apartheid context. It further traces the roots of inequality in South Africa's higher education system and how they have been valorised over time.

Chapter four gives an overview of the development of South Africa's student movement against the backdrop of the developments in chapter Three. It traces the foundations of the first student organization and how various socio-economic complexities underpinning South Africa have shaped the evolution of the student movement in various ways

Chapter five considers the development of the Fallist movement in 2015 against the backdrop of SA's higher education landscape and student movement. It traces the emergence of the #RhodesMustFall as an entry point into a much bigger conversation – alongside other student movements – which place the spotlight on transformation challenges in historically white universities

Chapter six is a case study of the #Uprising and AfrikaansMustFall movements at the University of Pretoria during the period of 2015 – 2017. The chapter uses Giorgio Agamben's theory of 'the state of exception' to analyse UP's responses to these student movements.

Chapter seven analyses and discusses the findings, conclusion and recommendations for future studies.



## Chapter Two

### The Theoretical Framework

#### 2.1 Introduction

From the demands of #RhodesMustFall to #OpenStellies to #FeesMustFall (amongst other movements and formations), protesting students have adopted various strategies and tactics (Chirwa, 2016) which have successfully forced higher education institutions to halt, further preventing the functioning of the university system in its mainstream way (Naidoo, 2015). Through this standstill, students were able to raise anew the critical demand for free education while simultaneously placing on the national agenda, the important debate around the slow pace of transformation across post-apartheid higher education institutions - sparking the call for decolonizing institutions of higher learning (#RMF, 2015; #OS, 2015; #FeesMustFall 2015).

Despite the right to protests as enshrined in section 17 of the Constitution of the Republic of South Africa, protesting students have been chastised by various Vice-Chancellors' (VCs) for "disrupting the smooth functioning of the university" (Habib, 2015); and the VCS union body, Universities South Africa (USAF), has condemned protesting students for "infring[ing] on the rights of those other students and staff of the university community who choose not to participate in protest and campaigns that [are said to] affect a minority" (USAF, 2015; Naidoo, 2015).

In addition, protesting students have also come under fire from the state, with the Minister of Higher Education and Training (DHET), Dr. Bonginkosi Blade Nzimande, calling upon the management of universities "to take decisive action against those elements that are bent on using any excuse to turn our institutions into sites of violence and vandalism" (Nzimande, 2015). In the same breath, the Minister further sought the South African Police Services (SAPS) "to assist universities with handling student issues and bringing these violent protests to an end" (Nzimande, 2015).

The crackdown on some of these student protests that ensued across various university campuses enforced by the police and outsourced private security resemble that of a 'state of exception' (Agamben; 1998, 2005) characterised by "extreme securitisation/ militarisation of campuses and other public places, resulting in the blatant violation of human/student rights" (Kamga, 2018: 69). Under a state of exception, the executive authority is given powers to suspend the normative legal framework alongside various individual human rights, "in order

to manage and deal with extraordinary circumstances such as war, invasion, revolution etc., which poses a threat to the existence and the integrity of the state” (Agamben, 1998: 2005).

What Agamben stresses is that the state of exception, under which the normative legal order is suspended, is abused in democracies today to justify the right to deviate from the rule of law, “with states of emergency used as a licence for repression” (Agamben, 1998). Starting from this standpoint, this chapter will be concerned with assessing the relevance of Agamben’s theory of exception in relation to understanding various approaches to institutional governance during student protests.

In so doing, this chapter will:

1. Develop and explain how Agamben (1998; 2005) conceptualizes the state of exception as a political device and paradigm of governance in contemporary politics.
2. Outline two cases that testify to the emergence of the exception at a level of contemporary state politics and its value as an explanatory tool
3. Develop and explain the school of historical institutionalism as a theoretical consideration alongside the state of exception

### **3.2 Agamben and the state of exception**

The development of the ‘state of exception’ (state of emergency) has a long history which dates as far back as the French revolution where revolutionaries had entertained the idea of suspending the constitutional order in the wake of danger to the French Nation (Agamben, 2005: 2). For Agamben, the ‘state of exception’ defines a unique circumstance where the normative and legal order is set aside and replaced by a parallel - often blurry- prescript issued by the executive authority (Agamben, 1998). This is enforced to restore order following an emergency or crisis of great magnitude threatening the existence of the state (Agamben, 1998: 2005).

According to Schmitt (2005: 72), “the essence of sovereignty [executive authority] is understood to be a monopoly on the ability to decide on the exception”. This account by Schmitt rephrases - and in fact, corrects - the Weberian theorization of ‘sovereignty’ as “the monopoly on the use of violence” (Weber, 1946; Vaughan-Williams 2008: 329). Schmitt argues that the enforcement of the exception is above the normative framework in that “it consists in the temporary suspension of the legal constraints on sovereignty, but that at the same time the exception is what defines the condition of possibility for the law to exist (Schmitt 2005: 72-73)

For both Agamben and Schmitt, the legal order is negatively characterized by its opposite, the exception. The exception frames the realm of law by creating a scenario where the normative order is not applicable. In Jeff Huysmans' words, "the norm does not define the exception, but the exception defines the norm" (Huysmans 2006: 136). Under such a scenario, the executive authority is elevated above others and the basic laws and norms established in society can be violated by the state while facing the identified threat (Giordanengo, 2016).

What Agamben (2005) argues is that the state of exception has become a dominant paradigm of government approaches to restoring order in contemporary politics. According to Aradau and Van Munsterer (2009: 689), this "rests on institutionalizing fear of the 'other' as the constitutive principle of society". The contention raised by Agamben's thought (which the theory of exception revolves) arises from the indistinction – in the realm of politics and order - between the private life and the public sphere, which is ignored by the executive authority when enforcing the exception (Agamben, 1998: 2005).

This indistinction leads to the creation of what Agamben (1998: 65) defines as 'homo sacer'. Homo sacer is reduced to 'bare life', "a form of life amendable to the sway of the [executive] power because it is banned from the realm of law and politics" (Vaughan-Williams 2008: 333). Reduced to 'bare life' (the conditions of the Nazi camps), the executive authority has the monopoly to frame 'homo sacer' (who becomes reduced to bare life). More contentiously, the executive authority has complete authority over 'homo sacer' (over that bare life), not just as a citizen (or a student at a university as will be shown later) but even to a point of acting upon their own life, going as far as depriving these individuals of their rights, including the right to life (Vaughan-Williams, 2008; Agamben, 1998; 2005).

Central to the understanding of 'bare life' is the idea of 'the ban', which Agamben describes as a political device used by the executive authority to exclude individuals from a community while simultaneously include them by defining their exclusion in relation with it (Agamben, 1998; 2005). In other words, Agamben establishes a link between 'the ban', as a political device, and the 'state of exception', as a paradigm of governance, in contemporary politics (Agamben, 1998; 2005). Functioning together, they perform the twin task of:

1. Excluding individuals from a particular context through the continuous reference of that context,
2. Constituting a social group for exclusion by instituting and exploiting fear of the diverse (homo sacer) invoked by the executive authority who has the monopoly to define and enforce the exception.

According to Agamben, “the state of exception is neither external nor internal to the juridical order, and the problem of defining it concerns precisely a threshold, or a zone of indifference, where inside and outside do not exclude each other but rather blur with each other” (Agamben 2005: 12).

In other words, the zone of indifference which necessitates homo sacer is precisely what informs the state of exception, since it derives its legitimacy by continuously referencing an external threat (real/perceived- the monopoly to define) which it must respond to using exceptional measures while simultaneously strengthening notions of identity by describing the suspect (homo sacer) as inhumane and dangerous, leaving the executive authority to treat the suspect identified as ‘bare life’ (Agamben, 1998; 2005).

In this way, the state of exception is effective in developing a framework of danger around which to unite the nation (or the university, as will be shown below) while simultaneously reinforcing ‘the ban’ as a successful political device to delegitimize and dehumanize the ‘other’ (students) by reducing them to ‘bare life’ (homo sacer) and thus having full control over them.

## **2.2 The state of exception as an explanatory tool**

For Agamben, the state of exception is the same logic behind the Nazi Germany concentration camps: prisoners detained, tortured and denied basic human rights and which in many instances lead to the violation of human rights (Agamben, 1998: 2005). However, if these ‘camps’ (and the violent conditions sustaining them) are illegal, they are not entirely outside of the law but are used constantly by the executive authority “to exert domination over bodies of its subjects particularly through the lens of race which has been employed as a means for depriving individuals of their humanity” Kamga (2018)

For instance, in the case of South Africa, as dehumanizing and gross human rights violation the laws targeted against the black population were under the Apartheid government (1948-1994), they did not operate in violation of the constitution of Apartheid South Africa but within its normative framework. The same Apartheid legal framework allowed for government to take exceptional measures and suspend individual rights in cases of emergency which threatened the stability, order or existence of the Apartheid state- for example the 1976 Soweto Uprising and the violent crackdown by the Apartheid State (Kunene, 2016).

By legally discriminating on the basis of race, the Apartheid state reduced black people to ‘bare life’, using the law and the military as a device to purposefully disseminate violence targeted at the majority black population (‘die swaart gevaar’/ ‘the danger of the black majority’)

and thus demonstrating that the rule of man transcends that of law (Agamben, 2005; Kunene, 2016; Kamga, 2018).

In another example, following the Paris Attacks in November 2015, a 'state of emergency' was declared in France initially for three months, but later extended to six months in its fight against what it described as "Islamist terrorist attacks" which it attributed to rising Muslim refugees and migration. Under the French Constitution, the state of emergency gives complete authority to the President of France to enhance the police force with extraordinary powers, place overreaching restrictions on individuals public movement (mass gatherings and demonstrations included) and allows for suspects such as any Muslim Migrant and refugee in France to be apprehended and detained without any formal charge, while it deals with the emergency ("Islamist terrorist Attacks") similar to the conditions of prisoners in the Nazi Germany camps.

For Davide Giordanengo (2016) the exception is normalized and reinforced using a narrative depicting France being 'at war' with 'terrorists'. Therefore, turning into a security state which derives its legitimacy not from the elimination of fear, but from the propagation of it, the rhetoric of 'being at war' performs the task of expanding and bolstering support for the executive authority as well as unifying the French nation (and Apartheid South Africa) behind a common enemy- us vs them (Campbell, 1998; Aradau and Van Munsterer, 2009; Giordanengo, 2016).

Therefore, Apartheid South Africa (1948- 1994) and France (2015- 2016) can be considered to have been operating under a 'state of exception' presented by Agamben that lasted over twelve years (in the case of Nazi Germany); forty-six years (Apartheid South Africa); and six months (France). The state of exception has been employed to restore a hierarchy of worth where some bodies are reduced to bare life (black people in apartheid south Africa/ Muslim Migrants and refugees in France) and are thus disposable while others enjoy the benefit of full rights and claim to humanity (Agamben, 1998).

As will be shown in the next chapter, some universities – as an extension of the state - have successfully incorporated the state of exception as a paradigm of governance into the everyday life and function of the university system which , in various ways, violently trumps on the rights of students- including the right to life and to protest, and where the state of exception has lost its exceptional character; where fact and law have been intertwined and where the abnormal has become the new normal

### 3.3 The school of institutionalism

In the broadest sense of the school of institutionalism, institutions are structured around rules, which in turn make them the foundation and arena of political behaviour and outcomes (Steinmo, 2001). These rules can be structured in two ways without which there can be no organized politics: formal rules (as in written and binding documents such as constitutions) and informal rules - as in unwritten cultural norms and practices (Steinmo, 2001; Rothstein, 1996).

According to scholars of institutionalism, one of the biggest appraisals of institutions is their ability to withstand change (de Figueredo et al., 1998; Steinmo, 2001). In this sense, institutions rest on certainty and stability, once that has been cemented - usually over a prolonged period - they become very difficult to change because of the fear of uncertainty of what the new outcomes could present (de Figueredo et al., 1998; Steinmo, 2001).

From the theory of institutionalism, there are two contending analytical schools of thought, namely rational choice institutionalist and historical institutionalist (Steinmo, 2001). In both these schools, the role of institutions in structuring politics overlap, however their epistemological and theoretical assumptions diverge in their approach to very science of politics (Steinmo, 2001; de Figueredo et al., 1998).

#### **3.3.1 Rational Choice institutionalist and historical institutionalist**

Whereas the central goal for rational choice institutionalist is to uncover the laws of political behaviour and action - through deductive reasoning - to construct models that will help explain and predict political behaviour (Steinmo, 2001); Historical Institutionalists - by contrast - are primarily concerned with understanding and explaining real world political outcomes through examining the ways in which the political institution has structured the various political community (de Figueredo et al., 1998; Steinmo, 2001; Rothstein, 1996).

In other words, whereas rational choice institutionalists look to the real world to test their model of balance-of-probabilities and predictive science instead of looking to the world and then searching for answers to what they observe, historical institutionalist

circumvent this oversight by first considering and explaining outcomes then proceed to exploring alternative rationalities and explanations for the outcomes they observe (de Figueredo et al., 1998; Steinmo, 2001). Moreover, for historical institutionalists, institutions can thus also be seen as the points of critical juncture in an historical path analysis because, political battles are fought inside institutions and over the design of future institutions (de Figueredo et al., 1998; Steinmo, 2001).

In this sense, historical institutionalism would argue that closer scrutiny of institutional behavior (against the backdrop of the development of higher education in South Africa as the focus of this research) may reveal that a number of institutions - historically white Afrikaans university's for purposes of this research - stray from efficiency goals intended through the 1994 higher education democratic project by exercising powers autonomously in ways unintended - and perhaps unanticipated - often producing undesirable and even self-defeating outcomes repeatedly, without punishment/dismantlement, and a critical part of this research study wants to understand why?!

Given the research focus of institutional history, culture and approaches to governance, historical institutionalist help this research study to analyse outcomes at any given point in time as the result of the convergence of a number of competing factors and based on a carefully considered historical approach of process tracing/path analysis which examines the relationship between a number of factors (historical and cultural amongst others) and how they have intersected and influenced one another over time (Bates, R.P. de Figueredo et al. 1998)

In sum, concerned with evaluating Agamben's theory of exception using the university campus as the matrix of hidden politics of state of emergency, and informed by the development of the following chapters, this research extends its theoretical lens to include from the school of historical institutionalism in relation to understanding of exaggerated responses to student protests in historically white Afrikaans universities during student protests between 2015- 2017.

## Chapter Three

### Historical, institutional, and cultural challenges underlying South Africa's Higher Education development

#### 3.1 Introduction

Higher education in South Africa continues to face several challenges ranging from: insufficient funding (Moja and Hayward 2005); low graduate output (Bunting, 2006); high levels of racism and racialization (Department of Education, 2008; Dibetle, 2009) as well as a rising trend of managerial leadership in higher education institutions which shape and inform higher education governance (Adams, 2016; Gwele, 2008). It should therefore not come as a surprise that protest action across South African universities- something which was widespread under the apartheid government (Davies, 1996) - manifest even today.

A growing body of literature has documented the above challenges in Higher Education often contrasting institutional inequalities in historically white/black universities (see, for example, Gwala, 1988; Morlan 1970; Nkomo 1984; Oxlund 2010, Naidoo, 2015) and the literature focuses on student protests mostly in historically black universities which was the primary site of black student politics under apartheid (Badat, 2010; Naidoo, 2015; Naicker, 2016). The focus on these student protests have been around Higher Education funding challenges for previously disadvantaged students and the structural weaknesses of the National Student Financial Aid Scheme (NSFAS) rather than fundamental historical, institutional, and cultural differences unique to each institution (Ebrahim, 2017)

As such, this section reviews the existing literature which considers the foundation and development of South Africa's Higher Education system and legislative framework against the backdrop of South Africa's historical socio-political contexts. In addition, it explores the development of Higher Education governance and management in relation to the state's framework(s) in order to develop a qualitative foundation to better understand:

1. The historical foundations and evolution of South Africa's higher education system in general and historically white universities in particular.
2. The development of South Africa's higher education legislative framework from past to present



3. The symbiotic relationship between these abovementioned factors and how they contribute to various forms and approaches to institutional governance

Therefore, the following literature helps to trace some of the historical, cultural, and institutional complexities underpinning South Africa's higher education landscape and developments, which – in turn - help the researcher to consider a broader understanding of some of the challenges present in South African institutions of higher learning today.

### ***3.2 Historical foundations of Higher Education South Africa***

Historian Bronwyn (2013) reminds us that the history of universities offers researchers another angle with which to investigate the past. According to Spies (2009), “the social climate between the university and its broader context gives the study of universities a broader significance”. Undoubtedly, understood as social as well as intellectual institutions (Kearney, 2012), one of the strongest reappraisals of the university as a unit of analysis is to reconsider it in its socio-historical context.

As a start, an account of South Africa's (SA's) higher education foundation and development – and which should form the basis of any historical account of higher education in South Africa – is the history of the South African College (SAC), which was the first higher education institution to be established in 1829 (See W. Rietchie's et al: “The history of the South African College: 1829-1918”). According to W. Rietchie's et al (2008), the SAC was established to advance secondary schooling but had established working relations with the University of London which had been granted Royal status since 1836 to examine external students (Alice, 2008).

Through this arrangement, the SAC was able to facilitate assessment between the University of London and South African students studying at the SAC, which subsequently plant the seeds of South Africa's higher education developments at the SAC (W. Rietchie's et al, 2008). Whereas the SAC was not itself considered a university in the western traditional sense, it would soon become the foundations for establishing South Africa's own university system.

Maurice Boucher's doctoral thesis: “The University of Cape of Good hope and the University of South Africa, 1873- 1946” provides a detailed study of the introduction of the South African university system against the imperial and colonial context of higher education in the Cape Colony. According to Boucher (2009), the University of the Cape of Good Hope (UCGH) was established in 1873 through merging the SAC with several other existing colleges, which offered similar recognized university level courses (Alice, 2008).

Both these contributions by W. Rietchie's et al and Boucher introduce an important background for the broader socio-political, socio-economic complexities and power relations underpinning South Africa. One significant facet of this era relates to the dramatically changing nature of white identities after the Anglo-Boer War (1899-1902); and the introduction of "Broad South Africanism" (Strydom, 2013) as a cultural tool aimed at forging a new sense of unity amongst the white race.

In the Cape Colony, Metrowich (1995) argues that a growing dislike for the UCGH was brewing amongst the Dutch-Speaking Community as a result of the UCGH refusal to examine students in Dutch; and by the end of the Anglo-Boer war (1899-1902), the UCGH seemed to be "the most hated institutions in the country [by the Dutch community]" (Metrowich 1995: 43; Strydom, 2013). In the period following the Anglo-Boer War (1899-1902), opportunities for Higher Education that were previously limited largely to the Cape Colony expanded to all four British colonies (Strydom 2013). Until 1910, the four different colonial governments had not placed concerted effort to reform higher education, and as a result there was no unity in the education systems of the four colonies (Strydom, 2013). Instead, most efforts of Higher Education reform in South Africa were attempted by the UCGH that remained (until 1916) "the outward symbol and visible token of educational unity" (Metrowich, 2013: 22)

When the Union Act was passed in 1910, the responsibility of South Africa's Higher Education was delegated to the Union Government, which subsequently centralized university education for the first time, and consolidated a base for the development of a South African-wide University System (Alice, 2008; Metrowich, 2013). According to Metrowich (2013: 23), "a shortage of funds and differences between the two white groups [Anglo - Boer] were regarded as the major obstacles in the path of reforming the system".

Notwithstanding, Philips (2012) maintains that the Universities Act that was established in 1916 by the Union government paved the way for South Africa's own university system, "it set the formal terms of engagement between the Universities and the Union Government" (Philips, 2012: 14). Moreover, under this Act, the UCGH (in the Cape colony) was changed to the University of South Africa (UNISA) with six university colleges under it, namely: Grey University College (Bloemfontein), Natal University College (Pietermaritzburg), Rhodes University College (Grahamstown), Huguenot University College (Wellington), Transvaal University College (Johannesburg) and the South African School of Mines and Technology (Kimberley) (Alice, 2008: Philips, 2012).

The prevailing idea of the Union Ministry of Higher Education, Philips (2012: 14) observes, “was to establish a single national teaching university (UNISA) which would cater to students from both English and Dutch backgrounds in a bid to strengthen white unity and conciliation and also foster national feeling”. Notwithstanding, there was growing debates around the structure of university education and increasing demand for the elevation of Dutch as a medium of instruction (Strydom, 2013)

Edgar (2011) maintains that the development of the university system in South Africa was in line with the growing demands for scientific research in Europe and private funding, which was increasingly being directed toward the university system. In South Africa, the discovery of gold (1886) in the Witwatersrand, the rapid industrialization and the rise of the Mineral Energy Complex (MEC) provided the justification for the further investment in education in the Johannesburg region (Edgar, 2011).

In 1904, “a major financial contribution to education came with the late estate of Alfred Beit- a mining magnet- who had left 200 000 pounds towards establishing a university in Johannesburg within 10 years of his death” Edgar (2011: 8). However, as established above, challenges amongst the white race following the Anglo-Boer War (1899 – 1902) meant that by the time the Union of South Africa was formed (1910), and ten years after the death of Alfred Beit (1914), the university question had remained unresolved (Edgar, 2011).

Although through a bold move by Jan Smuts, successful efforts to extend the conditions set by Alfred Beit at the time of his death were renegotiated in 1914 with Otto Beit (Alfred’s brother) and Julius Wernher - both who were mining magnates at the time (Edgar, 2011). With these new conditions, focus shifted from establishing a university in Johannesburg, to establishing a teaching university at Groote Schuur in Cape Town, thanks to 300 000 pounds from Beit and Wernher; and a further 25 000 pounds by The De Beers company (Edgar, 2011). Despite the 500 000 pounds investment into education, Phillips (2012) notes that the failure to establish consensus amongst various stakeholders meant that by the time the First World War broke out in 1914, the university question in the Union of South Africa had not been resolved.

Instead, while the war was ongoing, and the Union government having its priorities shifted abroad, the SAC which was now incorporated into UNISA (and in an ongoing attempt to be elevated to an independent university status), approached the Beit trustees separately and proposed that they use the 500 000 pounds to bolster efforts to elevate the status of the college, arguing that “the interests of higher education in South Africa would be better served this way” (Kulati, 2008: 12). According to Kulati (2008: 12), the “trustees responded positively,

believing, it appears, that an upgraded SAC would be their cherished one national university (instead of UNISA)".

When the Union Government passed the 1916 Universities Act, Murray (2009) establishes that a number of other colleges, which attempted to be elevated to independent university status managed to forge ahead successfully. It is following this development that the SAC became the University of Cape Town (1918) with the support of the bolstered funds from late estate of Alfred Beit, and the Victoria College became the University of Stellenbosch (1918) having received a separate private endowment from the South African mining magnate and politician, Johanne Henoch Marais (1851-1915).

The University Act (1916) encountered opposition in Parliament particularly from Johannesburg Members of Parliament (MP's) who objected to the way Beit's £200 000 was to be used. They believed that they had been robbed of it and that it had been dishonourably diverted from the purpose for which it was intended- to establish a new national university in Johannesburg along the Witwatersrand (Phillips, 2012; Venter).

Moreover, Strydom (2013) points out that they were also dissatisfied because "they felt that the consent which they had given for parting with the Beit bequest [of a university in Johannesburg- Transvaal Colony] was for the establishment of a new national institution in Cape Town and not for the upgrading of the SAC". As a result, the education in the Transvaal remained a major source of controversy amidst the existing tensions amongst the white race and the Dutch speaking community specifically (Strydom, 2013).

A broader look into how some of these cultural and language tensions amongst white South Africans shaped the development of South Africa's higher education system, can be considered through tracing the development of the Transvaal University College, which, as will be explained below, expose some of the historical cultural and language complexities underpinning South Africa's higher education system (Murray, 2009)

### ***3.3 Education in the Transvaal: From TTI to TUC to TUK***

In Johannesburg, Reunert (2004) observes that a private body which increasingly got involved with the development of higher education, and representing the English-speaking community, was the Wits Council of Education (WCE), established in 1895 as a result of the backward state of education on the rand and in opposition to the Zuid-Afrikaansche Republiek's (1882-1902) system of primary education (Reunert, 2004). According to Symington (2013), the involvement of the WCE "highlighted the active interests' inhabitants of the Witwatersrand took in educational matters".

In 1903, the Technical Education Commission (TEC), was appointed by the Lieutenant-Governor to bring into existence an institution which should “respond to the rapid industrialization in Johannesburg and the long-term founding of a teaching institution for the Transvaal” Wagenaar (2006: 12). As a direct result, the Transvaal Technical Institute (TTI) was established later in 1903/4, depending mostly on the financial support of the WCE (represented by the English-speaking community), which had been at the forefront of pushing for educational investment in the Transvaal (Wagenaar, 2006; Rothblatt, 2010).

In a 1906, and in line with the TEC recommendations of establishing a teaching university in Johannesburg, the TTI acquired university status and changed its name to Transvaal University College (TUC), offering engineering and mining courses in English and situated in Johannesburg (Boucher, 1999). The repositioning of the TTI to TUC coincided with the increased university development in England, which would influence the shape and form of TUC and which, simultaneously, would worsen the cultural and language tensions amongst the English and Boers (Boucher, 1999).

Moreover, Boucher (1999: 32) maintains that “if the university (TUC) persisted in ignoring the weight of evidence in favour of Dutch, the result might well be a strengthening of separatist tendencies in the Colony [...] and even desires for two universities divided on the issues of language and race.” As a direct prophecy, the seed of the rivalling institution was to be planted 60km away in Pretoria (Alice,2008; Strydom, 2013). Its symbolic relevance is in that Pretoria became the capital city of the Zuid Afrikaansche Republiek- established in 1855 by Marthinus Pretorius and named after his father Andries Pretorius. Both of them were leaders of the Voortrekker/ Great trek which is considered an important part of cultural heritage for Afrikaans community (Alice,2008; Strydom, 2013).

In 1908, The TUC in Johannesburg extended Art and Sciences classes in Pretoria, where there seemed to be a demand (Alice,2008; Strydom, 2013). In 1909, a year after classes began in Pretoria, existing tension amongst white Afrikaans and English students in higher education resulted in talks on separating the two branches completely (Alice,2008; Strydom, 2013). Several attempts to unify the TUC’s goals and objectives as a single institution were unsuccessful such that by 1910, at the start of the Union Act, cultural and language tension between the two branches worsened, resulting in a complete separation of the institutions (Alice,2008; Strydom, 2013).

The TUC Johannesburg campus became the South African School of Mines and Technology (the forerunner of University of Witwatersrand in 1922) and the TUC Pretoria campus changed to Transvaal University Kollege (TUK, the forerunner of the University of Pretoria in 1930) (Alice,2008; Strydom, 2013). It is the separation of these two campuses (TUC in

Johannesburg and in Pretoria) to form two separate universities (SA School of Mines and the Transvaal University Kollege) that would later have major implications for higher education development in Transvaal and later in South Africa through a more elaborated legislative process under the Apartheid government.

What the literature highlights so far, and which is often overlooked, is that the push for Dutch to be elevated as a medium of instruction is as old as the development of South Africa's higher education system. More politically, this push has led to historic tensions rooted in language and cultural differences of White English-Dutch South Africans which were exacerbated after the Anglo-Boer War.

Through the literature we get to learn how extreme these tensions amongst white South Africans were to the extent that they inform the establishment of two universities in the Transvaal divided by cultural and race lines- the SA School of Mines in Johannesburg and attended mostly by White English-speaking students, and the Transvaal University Kollege for white Afrikaans students in Pretoria (Murray, 2009).

To this point, my concern has been to explicate some of the historical roots and cultural features of South Africa's Higher Education system and development. This is because it is important to understand the challenges confronting higher education institutions today against the backdrop of their wider historical and political trajectories. However, an understanding of these trajectories would be incomplete without a consideration of the development of the legislative framework governing higher education during each period

### ***3.4 Legislative framework and the Higher education landscape***

As mentioned earlier above, the Union Act (1910) delegated the responsibility of higher education to the Union government, which subsequently passed a series of laws to regulate university education. In 1916, the Universities Act was passed by the Union Government which paved the way for the establishment of South Africa's university system more broadly (Kulati, 2005; Alice, 2008)

In 1923 the Higher Education Act (30 of 1923) was introduced to provide a higher education governance framework defined by the state, and with institutions of learning having some discretion over their internal affairs (Govinder, Zondo & Makgoba, 2013). To help guide the affairs of the institution, the 1923 Higher Education Act gave provision for two institutional governance structures, namely Councils and Boards of Study (Senates) (HE Act 30 of 1923). Councils were regarded as legal body corporates of the institutions subject to the final authority of the Minister (HE Act 30 of 1923).; and Boards of Study (Senates as they would later

become) were to be responsible for institutional academic affairs subject to the approval of Council. (HE Act 30 of 1923).

Makgoba (2013: 40) observes that the 1923 HE Act also “regulated the financial affairs of the institutions, prohibited institutions from imposing tests of religious belief without ministerial consent and gave Councils circumscribed power to refuse admittance to students and to expel, although the implications of this in application are unclear” (Makgoba, 2013;). However, Magubane (2008) maintains that by this time, institutions of higher learning were dependent on government for financial support which would become fundamental in shaping the various relationships between the government and higher education institutions (Magubane, 2008: 40-44).

According to Magubane (2008), the next shift in South Africa’s university development followed the Brookes Commission (1947) which investigated the growing problem of South African students studying externally – creating a skills shortage - and whose overall recommendations later inform the apartheid governments move to dissolve the federal role of the UNISA and establishing independent universities which could improve and respond to immediate local interests (de beer, 2004).

Following the Brookes Commission, between 1947 – 1948, the federal role of UNISA was dissolved and in 1949, the constituency colleges; Natal University College (Forerunner of University of Kwa-Zulu Natal); Rhodes University College (forerunner of Rhodes University) and Grey University College (forerunner of the University of Orange Free State, now University of Free State), which fell under UNISA, acquired independent university status. By 1951, there were ten institutions offering university level education, nine of which were created by an act of parliament (de Beer, 2004).

However, when the National Party (NP) came into power (1948), Grayling (2001) maintains that it inherited a university system that largely reflected the power relations, prejudices and contradictions of South African colonial society. Moreover, she observes, “most students were white (90 per cent) and male (79 per cent)” (Greyling, 2001, 43). In addition, across the system, women faced greater problems and obstacles than men to entering and succeeding in higher education due to the patriarchal nature of apartheid society (NCHE, 1996; SASC 1996). White women were, however, more likely to gain access to and succeed in higher education than black men and black women combined (Alice, 2008).

Despite several changes made to shape the education landscape (basic and higher), the relationship between the state and the university would change dramatically following the introduction of Apartheid and new racial laws and policies to govern the country moving forward (Bunting, 2004). Central to higher education, and relevant for this study focus, is the

Extension of Universities Act (1959), which polarized South Africa's Higher Education system along racial and ethnic lines (Bunting, 2004).

A more controversial aspect of this EoU Act was that it criminalized the enrolment of non-white students at a hitherto open (white) university without the written consent of the Minister of Internal Affairs (Lapping, 2002). As an alternative, it gave provision for the establishment of a series of new ethnically based institutions for Blacks and provided very limited resources for their development (Lapping, 2002).

These institutions included Ngoye (now University of Zululand) in Zululand (now Nongoma) for Zulus, University of the North (now University of Limpopo) in Turfloop for Sotho, Venda and Tsonga ethnic groups; Fort Hare University (previously South African Native College under UNISA from 1916- 1959) in Ciskei for Xhosas; Bellville University (now University of Western Cape) for Coloureds and Durban University (now Durban University of Technology) in Natal for Indians (Lapping, 1986; Davenport, 1987).

Universities reserved for white students were mainly divided into two subcategories - Afrikaans universities and English Universities (Bunting, 2004). Of the white English-medium universities, Seerote (2013) points out that the University of Cape Town and Witwatersrand University admitted students on occasion without regard to race and often in defiance with the Apartheid logic of ethnic based institutions for different ethnic groups. Christopher (1994) says the Afrikaans medium institutions (such as Stellenbosch University and the University of Pretoria) remained all-white Afrikaans institutions and with strong links with the apartheid state, bolstering longstanding attempts to elevate the language and culture against British colonial influence in South African higher education since its establishment in the Cape colony (Seerote, 2013; Bronwyn, 2013).

For instance, A breakdown of enrolment figures in historically white universities South Africa at the end of 1960:

#### 1.1 **Of the White Afrikaans Universities** (Ratcatcher, 2012: n.p):

- Orange Free state University (forerunner of University of Free state)  
1709 white students only
- Potchefstroom University (now Northwest University, Potchefstroom campus): 1474 white students only
- Stellenbosch University, 3694 white students only
- University of Pretoria, 6324 white students only



### 1.2 Of the White English Universities (Ratcatcher, 2012: N.P):

- University of Cape town, 4408 White: 388 Colored: 127 Indian: 37 Black students
- Witwatersrand University, 4756 White: 22 Colored: 158 Indian: 73 Black students
- Natal University (Forerunner of University of Kwa-Zulu Natal) 2530 White: 31 Colored: 373 Indian: 188 Black students (although segregated classes)

It was not until 1983 that the demographics of historically white Afrikaans universities would begin to positively shift following the introduction of the Universities Amendment Bill (1983), which did away with the permit system promulgated by the Extension of University's Act, which was aimed at keeping black people in an inferior position in society (Mojapelo, 2000).

The result of the 1983 Bill meant that historically white universities (English and Afrikaans) once again were allowed to admit students on their own terms - except for Afrikaans universities, which continued to uphold the ambitions and exclusionary logic of the Apartheid state (Mojapelo, 2000). For instance, a breakdown of enrolment figures in historically white universities South Africa at the end of 1983 (the last year of the Extension of Universities Act to be enforced):

#### 1. Of the white Afrikaans universities (Ratcatcher, 2012: n.p):

- Orange Free state University (forerunner of University of Free state) – 8194 White: 9 Colored: 2 Indian: 1 Black students
- Potchefstroom University (forerunner of Northwest University, Potchefstroom campus) – 7437 white: 3 Colored: 20 Indian: 2 black students
- Stellenbosch University – 12 059 white: 152 Colored: 6 Indian: 3 Black students
- University of Pretoria - 16 849 white: 2 coloreds: 2 Indian: 1 Black students

#### 2. Of the white English universities (Ratcatcher, 2012: n.p):

- University of Cape town – 10 440 white: 1 121 coloreds: 331 Indian: 257 black
- Witwatersrand University – 13 877 White: 213 Colored: 1117 Indian: 583 Black students
- Natal University (forerunner of University of KwaZulu Natal) – 7929 white: 228 coloreds: 1103 Indian: 531 black (although segregated classes)

Evidenced from the samples above, a case can be built around the Apartheid state and its association with historically white Afrikaans institutions. This link is characterized by the upholding of exclusionary policies by all Afrikaans medium institutions and the relative defiance of historically white English universities who have been consistent in being inconsistent with the Apartheid state despite the limitations placed on them under paternalistic Afrikaner control (Bunting, 2016). A further link can be established between their institutional

cultures which- in the case of Afrikaans universities- can be characterized by upholding racist policies informed by Afrikaner Nationalism and systemic violence being the approach of the apartheid regime (Bunting, 2016).

It is this systemic and targeted violence which enabled the apartheid state with grounds to intervene and to interfere in the affairs of an institutions and public spaces on its own terms, using the police and the military (as will be explained later) as security arms of the state to strengthen its existing racist governance policies and ideology (for example the 1976 Soweto Uprising which will be discussed in the next chapter).

As a result, the legal framework governing higher education has been born out of the need to expand education into the colony whilst maintaining a coordinated effort. The literature above exposes the racism and segregation imbedded in institutions of higher learning and which are by no means an immediate product of Apartheid. Instead, they were born out of the British establishment in the Cape colony and later valorized by Apartheid expansion.

The literature also highlights the changes to higher education development following the introduction of apartheid (1948) and the various laws that followed, namely the Extension of universities Act (1959), which segregated higher education schools along racial and ethnic lines. By stressing the cultural and intellectual difference between racial groups as the foundation for the Extension of Universities Act, the apartheid government managed to entrench a segregated higher education system consisting of embedded superiority and inferiority complexities and which would prepare - even forcefully- Black people to accept differences and inequality as a natural phenomenon and unchallengeable order (Hlatshwayo, 2000).

Moreover, according to Hlatshwayo (2000) the National Party's insistence on an elaborate segregationist educational framework under Apartheid, should be understood against the backdrop of power and influence government would then have over governance of institutions, curriculum development, and code of conduct, rules, and regulations.

To this point, my concern has been to identify the some of the historical and cultural roots and legislative features of South Africa's Higher Education system. This is because it is important to understand the current functioning of universities against the backdrop of their wider historical and political trajectories. To help develop this further, I now turn to consider some of the implications of apartheid on higher education institutional governance.

### **3.5 The relationship between Apartheid governance and university institutional governance**

According to du Toit (2014), the enduring effects of apartheid governance on institutional governance structures especially in historically white universities was precisely rooted in the conflation of government and state by the apartheid regime. This resulted in an approach towards higher education governance informed by state-government control and influence (du Toit, 2014).

Although universities were regarded as ‘corporations’ founded by an earlier act of Parliament (1916) and which makes them public institutions (NHCE, 1996), in operational terms, universities considered themselves as “an independent sphere of societal relationships, separate from the spheres of the state, religion and other forces of influence” (NCHE, 1996: 12).

This meant that for as long as universities existed the state could not interfere directly in internal university affairs outside of pre-existing legislation; nor could the university – conversely - interfere in the affairs of the state by – for example - rejecting the states designation of universities for racial groups as was the case with the 1959 Extension of Universities Act (NCHE, 1996). However, Sehoole (2005: 20) explains that “despite the ‘independent sphere’ of the university, there was a symbiotic relationship of the Apartheid government’s policies and how governance in universities was enacted”.

According to Sehoole (2005), direct state control over universities (especially black universities) was enforced to support other state policies, in particular the Bantustan and homeland policy as an important element of the state’s separate development project and ideology. This extended to universities in relation to developing a long-term framework to further entrench apartheid and its wavering Afrikaner nationalist principles (Sehoole, 2005).

According to Booyens (2012), the converging of state and government became a mechanism to entrench the legacy of the apartheid regime in the country’s higher education system. As a result, the basis for higher governance in South Africa was modeled along the lines of state-government control (Booyens, 2012). This meant that the government, in the disguise of the state ministry of higher education, was able to interfere with the affairs of any institution on its own terms to strengthen its policy and ideological objectives or to ensure effective governance over the system (Dibetle, 2009; Booyens, 2012)

In this sense, South African universities never truly enjoyed anything close to institutional autonomy in principle or in practice. According to Du Toit (2014: 7) “the relationship between higher education governance and institutional governance was [and continues to be] fraught with complexity” (Du Toit, 2014). In trying to account for these complexities, Dibetle (2009) explains that the various purpose(s) for which institutions had been delineated (i.e., historically black/white and university/ Technikon /college) shaped the different relationships with the state.

A Higher Education report tracing the legislative and policy framework effects on institutional governance finalized by the NCHE (1996: 12) observed that: “the different legal status and racial basis of Higher Education institutions led to complex differentiation in governance and funding arrangements” (see Moja and Hayward 2005 and NCHE, 2004). It was under these adverse considerations that universities enjoyed various degrees of institutional autonomy (real or perceived).

For historically white universities, this coincided with the sensitive relationship that both English and Afrikaans institutions shared with the Apartheid government. However, historically white Afrikaans universities, which had aligned themselves more loyally to the logic and policies of the apartheid government, remained proud bastions of Afrikaner culture and influence (Christopher, 1994). In addition, the support for the Apartheid regime by historically Afrikaans universities also had major implications on their academic and governance cultures (Mbamba 1982; Christopher 1994) which could be described, amongst other elements, as strongly authoritarian (Bunting, 2016: 40-42).

As a result, the essential Apartheid architecture of Higher Education had extended into the everyday functioning of the university and its governance structures which were still in place in the early 1990s before the new government came into power. As such, alongside the struggles for liberation in South Africa, Wally Morrow (1998), argues that higher education governance has been at the center of transformation debates mainly because one of the central elements of sustaining Apartheid in South Africa was to ensure effective governance of state institutions that aligned themselves strongly with the logic of the Apartheid state, laws and policies at the time (Morrow, 1998; Sehoole, 2005).

Therefore, one of the issues leading into the Convention for Democratic South Africa (CODESA) negotiations in the early 1990s was how to transition from state-government control of higher education to more democratic approaches and increased public control espoused by the congress movement (NCHE, 1996). What would become clear was that the

new democratic government did not envision any form of direct state control as a basis for higher education governance. This included “setting aside any possibility of continuing with the top-down government control over the sole trajectory of higher education” (ANC policy document on Higher Education, 1994: 24).

In sum, the legal and policy provisions for higher education under the apartheid government were ostensibly meant to create a system of separate elements that catered for particular needs in parallel and aligned to the apartheid government’s plan and policy of separate development (Sehoole, 2005). The effect of this legal and policy framework engendered a higher education system that was highly fragmented and uncoordinated; fundamentally inequitable and lay bare a system of institutional governance which was, according to Sehoole (2015: 23) “effective in terms of rigid superiority inferiority complexities reinforced by the state, and whose stronghold at the level of the institution rendered it profoundly authoritative”

Albeit the 1994 democratic elections marked an end to the Apartheid government, alongside the many racist policies and laws regarding education (some of which have been mentioned before), undoing the legacy of the Apartheid project on higher education itself was - and continues to be – a challenging undertaking as the systemic patterns of exclusion and inequality remain in place. However, in order to later give context to the ‘Fallism’ discourse which emerged in historically white Universities in 2015, it is important to first consider the ways in which class and race have been reified in post-colonial/post-apartheid South Africa and its relation to South Africa’s Higher Education space.

### **3.6 Higher Education Governance post 1994**

According to Moja and Hayward (2005), attempts to reverse the past racial discrimination in higher education needed to include measures to address racial inequities with regards to accessing education, while simultaneously focus on institutional discrimination resulting from unequal funding of institutions based on apartheid racial designation. As such, in the course of reviewing its priorities ahead in 1994, Kulati (2005) contends that the new African National Congress (ANC) government realised that alongside its initiatives in basic schooling, it also had to give attention to Higher Education.

#### **3.6.1 *National commission on higher education***

First initiative, Kulati (2005) notes, was to appoint a National Commission on Higher Education to review Apartheid education policies and provide government with solutions on how to

restructure higher education in more democratic ways (Kulati, 2005; NCHE, 1995). Moja and Hayward (2005: 35) explain that:

“The NCHE focused on those features of the system that could be changed quickly as well as those that were the most offensive features of higher education policy during the apartheid period. At the forefront was restricted access to higher education for black students - almost total in the beginning. During this period blacks could no longer attend white universities”

As a result, the NCHE report identified challenges and opportunities in the existing system – some of which have been discussed in the previous chapter - and made several recommendations for the new government to establish a single coordinated national system of Higher Education (NCHE, 1996). The NCHE further argued that “while focussing on the dual objectives of economic growth and social development” (NCHE, 1996), South Africa’s Higher Education system should cater for the significant increase in the number of people seeking to enter higher education by promoting greater access (NCHE, 1996).

### ***3.6.2 Higher education and GEAR neo liberal policies***

The NCHE report also acknowledged the limited resources available to new democratic government against the enormous task of undoing the vast range of inequities caused by the apartheid government (Moja, 2005: 38). While the NCHE produced several proposals for transformation, arguing for redress of past disparities and inequalities entrenched in higher education by apartheid (NCHE, 1996), it would also argue that these objectives be met within the neoliberal macro- economic framework being crafted by government i.e., the Growth, Employment and Redistribution Strategy (GEAR) (Kulati, 2005; Pandor, 2020).

According to this logic, higher education (in the neoliberal paradigm) was not regarded as a primary priority for the state, considering its other competing responsibilities such as basic education (Pandor, 2020). Instead, “the state would explore ways of reducing its role in - and funding of - higher education, which was increasingly seen a means for producing the knowledge and people necessary for South Africa to become globally competitive” (Pandor, 2020: 56).

This meant that higher education institutions would have to begin looking for alternative sources of income, resulting in an emphasis on fees collection (and support for fees-paying students), and the restructuring of curricula and courses in the interests of the market (Nkondo, 2002; Jansen, 2009). It has also meant the complete reorganisation of institutions along

business principles “with the logic of profit and the market beginning to drive the work of institutions” (Fehnel, Maasen, Moja, Perold & Gibbon (2002).

While GEAR accelerated access into institutions of higher learning for previously marginalized groups through government subsidies and loans disbursed namely through the National Student Financial Aid Scheme (Pandor, 2018), it also played a huge role in dictating the form of the new arrangements in higher education while simultaneously entrenching previous historic patterns of exclusion along class-race lines (Lushaba, 2020).

Moreover, student organisations such as the South African Students congress (SASCO), which became part of participatory processes of policy formulation since the mid-1990s (Badat, 2010), lamented the fact that the final report of the NCHE did not reflect any of the positions articulated by students, who had gone through a long process of independent policy formulation in order to table submissions to NCHE (SASCO, 2001).

Key amongst the student’s concern was that for higher education to become a space in which free and independent intellectual production could occur, significant redress along the lines of race, class and gender would be required at the level of institutions (SASCO, 2001). In addition, students felt that 'institutional autonomy' should be viewed in the context of redress and putting the interests of disadvantaged communities and individuals at the centre of their definitions (SASCO, 2001; SAUS, 2006).

However, with the final report of the NCHE, institutional redress faltered (SAUS, 2006), and the focus on individual redress was prioritised with the establishment of the National Student Financial Aid Scheme (Khoza, 2019). By 1991, the Apartheid government had begun to put in place a funding scheme to assist students who were increasingly being admitted to universities in the transition to democracy. This scheme was known as the Tertiary Education Fund of South Africa (TEFSA), which in 1999 would be converted into the National Financial Aid Scheme by an Act of parliament (NSFAS Act 56 of 1999).

Through government allocated funds, NSFAS (as TEFSA was now known) carried on the vision of the HE Act (1997) by providing student loans and grants for disadvantaged students who gained access to institutions of higher learning but who did not have the funds from their own pockets to pay for their studies.

During the first democratic administration, R20 million was allocated to the funding scheme for such students, which was increased to R300 million in 1996. By 2003, the allocation

increased to R4.6 billion which assisted over 350 000 students from disadvantaged backgrounds to gain access into the country's higher education institutions (Moja and Hayward, 2005; Pandor, 2018).

The largest percentage of total NSFAS funding went to the historically black institutions which attracted a lot of students from disadvantaged backgrounds compared to historically white institutions which were still troubled by skewed demographics shaped by the apartheid past (Moja and Hayward, 2005: 20-41). According to Makgoba (2013: 1,) the move towards increasing access “neglected to focus on other features of university activity, such as curriculum reform, changing the demographic profile of teaching staff and institutional culture”.

However, Pandor (2018) maintains that the new government of South Africa responded to the need for redress and empowerment by “developing and adopting progressive legislation and by supporting and funding increased access for black and women students” (Pandor, 2018: 31). Whereas this continuing progress in increasing numbers of African students indicates progress at undoing past racial injustices, Pandor (2018) argues that deeper analysis point to a number of challenges.

For example, NSFAS would also experience several financial problems as the demand for education far exceeded NSFAS capacity: “the scheme was unable to meet funding demand” (Msulwa Daka NSFAS's CEO, 2009). In addition, the loans and grants advanced to students – with the intention to increase access for previously disadvantaged groups – also brought about growing concern for these students as a result of the long-term implications of these loans which burdened students with debt (SASCO, 2007).

For instance, by 2003, the total student debt owed to NSFAS was sitting at just over R4 billion (Moja and Hayward, 2005: 47). This created a class of further disadvantaged students hobbled with debt amassed whilst trying to get an education. Not just students alone, another funding challenge faced by higher education institutions has been around the decrease in government subsidies. The decrees in government subsidies have resulted in the increase in tuition fees and the support for fee paying students (USAF, 2015).

In addition, university managements would also block student results for those students who were owing the institution (SASCO, 2007). This would also impede students from furthering their studies due to outstanding debt, and for some who had graduated already, this would mean not getting their academic results and finding meaningful employment as universities would withhold their qualifications and transcripts until their debt was paid off (SASCO, 2007; Jama, 2019). This would become the many ways in which education would become commercialized in south Africa (Naidoo, 2015).



### **3.6.3 *White paper on higher Education Transformation and the Higher Education Act***

Notwithstanding, the final NCHE report laid the foundation for the post-apartheid legislative framework, which began with the White Paper on Higher Education Transformation in 1997 and the Higher Education Act of 1997 (henceforth referred to as the White paper and HE Act respectively) which form the genesis of the transformation project in higher education South Africa (Tembile, 2000: 178).

One of the central reimagination underpinning the White Paper has been around transforming institutional governance structures in more democratic ways. This was premised on the understanding that no individual stakeholder, management, staff, students etc. should single handedly determine the transformation agenda of the institution (White Paper, 1997). Instead, as the White Paper argued:

“Institutional governance must be based on the recognition of competing interest and the need to derive mechanism and structures in place to round up collective decisions among the stakeholder’s whiles understanding the contentions that may arise” (White paper, 1997).

The White Paper (1997) – which formed the blueprint of the Higher Education Act 1997 - identified three overarching themes central to transforming institutions of higher learning, namely: increasing participation, responding to societal needs and interests, and promoting co-operation and partnership in governance. These themes were aimed at reconceptualising the relationship among various stakeholders as well as reconstructing the higher education landscape and governance of higher education institutions in more democratic ways (White Paper, 1997; HE Act, 1997).

In this sense, Councils were restructured to be the highest decision-making body of an institution tasked with the responsibility of ensuring good governance in the institution, ensure sound financial footing and hold the executive management of the institution accountable for duties and responsibilities defined by the Council and enshrined in the institutional statute” (HE Act, 1997).

Senate, on the other hand, were regarded as the highest decision-making body of an institution with regards to academic matters (i.e., curriculum, timetables etc.) (HE Act, 1997). The HE Act also introduced Institutional forums which were to act as 'shock absorbers' to the transformation agenda of an institution, by providing a platform for transformational issues of the institution to be debated and recommendations to be sent to council on an advisory basis (HE Act, 1997).

The HE Act also recognized the need for student involvement in institutional governance (HE Act, 1997). To this effect, the Higher Education Act provides for Student Representative Councils (SRCs) to be elected in all higher education institutions and enshrined in university statutes (HE Act, 1997). Through SRCs, the Act envisioned that student would be represented at all levels of institutional governance structures. However, the impact of this representation has not been very strong as SRC members are mostly outnumbered by other institutional stakeholders (unions, managements etc) who represented different – and often divergent – constituencies and issues (Tembile, 2000)

Notwithstanding, all institutions of higher learning had adopted (in principle perhaps) the need to democratize and restructure their governance structures to be more inclusive and representing a wider voice of various stakeholders (Tembile, 2000), some universities had undertaken ambitious transformative projects which have evolved differently across different institutions and at times resulted in unintended consequences and in some cases remained to a large extent stagnant” (Tembile, 2000: 179).

Moreover, Pandor (2020, 41) observes that “managerialism has become a dominant part of higher education, through requirements of financial administration, restructuring processes, contract staff, and contract and performance management”. In other words, universities seem to have become businesses rather than places of learning and knowledge creation – “they make use of marketing techniques compete for students, research grants, and ranking positions” (Pandor, 2020: 42) – which has given rise to a ‘market- oriented university’ (Mamashela, 2010). According to Mamashela (2010: 264)

“The Market-Oriented University is governed by a managerial-professional regime that conceives of students as “clients” and “users” of the university in terms of a consumerist perspective. Governance is legitimised by reciprocity (or even exchange) as the dominant logic underpinning the regime. Senior managers are considered the key governors in this model even though their external orientation towards the market appears to give them little effective decision-making choice. Students are formally

involved in university governance where this enhances the responsiveness of the university to the student market (e.g., customer satisfaction, service delivery improvements). There is limited organised student political activism; rather political disinterest and apathy prevail”.

While some success in higher education has been recorded since the democratic dispensation, Academics such as Jonathan (2001) had already established that: “... as for equity, the higher education systems is still characterised by gross discrepancies in the participation rates of students from different population groups, with the African and coloured groups being the worst affected” (Jansen, 2001: 12). This has also resulted in a culture of students protests and demand for transformation across post-apartheid South African universities” (Jansen, 2001; Pandor, 2018)

### **3.7 Conclusion**

Therefore, as embodiments of colonial and apartheid expansion aided by valorizing of racial hierarchies, laws and practices, which, in effect, have embedded patterns of exclusion and marginalization, it is no surprise that in 2015 (as will be explained later) universities across the country, and historically white universities specifically, became a site of resistance and political mobilization mostly by, though not exclusively to, black students, who engaged in an ideological, philosophical and political discourse known as ‘Fallism’- ‘new’ to post-colonial and post-apartheid South African student politics – but which challenges some of these historical factors, including language which has been an ongoing tension in higher education developments (Duncan, 2016)

Since the concern for this research is with regards to exaggerated responses to student protests namely in historically white Afrikaans universities, it is worth considering a brief reflection of South Africa’s student movement against these developments. It is only through this consideration that a meaningful and critical inquiry can be developed around the underlying historical, institutional, and cultural challenges existing in post-apartheid higher education institutions which expose students to a culture of protests described by Jansen (2001).

## Chapter Four

### A history of South Africa's student movement

#### 4.1 Introduction

Whereas young South Africans have been actively engaged in the country's politics, the development of South Africa's student movement more broadly speaking has its roots closely linked to the development of South Africa's university system following the 1916 Universities Act and the 1923 Higher Education Act respectively (Badat, 1999). Working alongside one another, these two Acts birthed South Africa's higher education system and modelled the landscape of higher education governance respectively. Moreover, it is the development of the student movement against the backdrop of the historical cultural and language complexities, which underpinned higher education at the time (more especially the place and role of language - the elevation of Afrikaans in particular-; the growing systemic exclusion of black people; and the underdevelopment of black education in general) which gives an overview of the development of SA's student movement broader historic and political relevance to the socio-political discourse around the demand for 'free' education and student protests in South African higher education institutions since 2015.

In this chapter, the research will trace the development of South Africa's student movement, starting with the establishment of the National Union of South African Students (NUSAS); the South African Students Organization (SASO), The Azanian Students Organization (AZASO) and the South African Students Congress (SASCO). To be clear, the following literature is not intended to study the history of the student organizations and movements in depth. Instead, it is to highlight various critical points of South African student politics which may give broader significance to the student protests that would emerge in historically white South African higher education institutions since 2015

#### 4.2 The establishment of NUSAS

According to SA history online, the genesis of South Africa's student movement, and a critical moment in the evolution of South Africa's student politics, can be traced back to the decision by Union Government to introduce the Higher Education Act of 1923 which brought into effect a formalized university system in South Africa (SA history online, 2011). The HE Act (1923) promulgated the formation of the National Union of South African Students (NUSAS) in 1924

at the Grey University College, Bloemfontein, to represent the interest of university and college students

The formation of NUSAS also marked the oldest documented emergence of students organizing themselves into formal student structures and organizations (SA history online, 2011). Its membership comprised of student representatives from various universities, which is also how it constituted the national executive leadership structure. The national executive met regularly in the form of a student parliament to discuss policy and student related matters (SAHA. N.P).

NUSAS activities also included other social responsibilities such as feeding schemes, education workshops in prisons; educating black adults in black townships and so forth, which, according to Shivambu (2011: 9) “provid[ed] a relative ‘progressive’ outlook to the future of student organizations in South Africa”. While ‘relatively progressive in its outlook (Shivambu, 2011), one of NUSAS’ major shortcoming was that it mirrored the racial hierarchical power-structure of South African society - white, male dominated in the main (SA history online, 2011; NUSAS, 1981). This was a result of confining its membership to white students only (Shivambu, 2013).

As a result of confining its membership to white students only, black students felt excluded from the daily operations and leadership positions of the organization. In addition, Black institutions did not affiliate to NUSAS due to the racial socio-political climate existing in South Africa at the time. As a result, black students and black institutions remained in the periphery of NUSAS’s daily operations (Bell, 1991; SA history online). Amongst the white institutions and students in NUSAS, the longstanding cultural and linguistic challenges underpinning the evolvement of SA’s higher education system resulted in an uncomfortable marriage between English and Afrikaans students/institutions (Witwatersrand, Rhodes, Cape Town, Natal, Potchefstroom, and Pretoria University) who affiliated and belonged to NUSAS (Bell, 1991). Key amongst these challenges was the role of language - the growing demand for the elevation of Afrikaans in particular - and the role and place (or lack thereof) of black students (Larkin, 2001).

Despite some of these shortcomings, NUSAS played a pivotal role in representing student interests in higher education and developing higher education policies. In this respect, NUSAS enjoyed the support from students mostly in historically white universities which recognized its contributions (Larkin, 2001). However, the complexities amongst English and Afrikaans students would continue to experience tensions.

For instance, in a NUSAS conference held in 1933 a group of English students from Witwatersrand University are alleged to have introduced a motion to allow the University of Fort Hare (a black institution) to be allowed to affiliate with NUSAS (which confined membership to white students as mentioned above) but which was met with immediate objection from Afrikaans Students from the Afrikaans university (Larkin, 2001; SA history online, 2011). This objection by Afrikaans students was in line with “the growing feeling of Afrikaner Nationalism” against the influence of British colonialism and SA’s racial complexities (SA history online, 2011: n.p; (Mckay and Anne, 2015).

As a result, NUSAS spent the first decade of its existence occupied with a twin task of wooing Afrikaans students who were increasingly becoming critical of NUSAS and the English community, while focusing on running the daily operations and duties of the organization in advancing the interests of students across institutions of higher learning (Mckay and Anne, 2015). However, these efforts by NUSAS failed to achieve the broader ambitions of consolidating white unity, and matters would only deteriorate further in 1933 when Afrikaans students broke away from NUSAS to a form separate national union, the Afrikaans Nasionale Studente Bond (ANSB, 1933).

ANSB was established to accelerate the cultural and political recognition of Afrikaans students and to further mobilize support for Afrikaans as a medium of instruction in institutions of higher learning (Mckay and Anne, 2015). True to form, in 1934 - just a year into its existence - three Afrikaans university colleges (Bloemfontein, Pretoria and Potchefstroom) withdrew from NUSAS to join ANSB. Stellenbosch University, on the other hand, was not too convinced to breakaway until 1935 when the question of the University of Fort Hare membership request arose again, this time supported by English students from both Witwatersrand University and the University of Cape Town (NUSAS, 1981: 7-11). The eventual withdrawal of Stellenbosch University from NUSAS in 1935, completed the split between students in English and Afrikaans Universities.

As a direct result of these changing sentiments, Hewett Training College became one of the first black associated institutions to join NUSAS in 1945 giving NUSAS its ‘progressive’ character and direction (Shivambu, 2013). However, for many other black students, the failure of NUSAS to adopt the Freedom Charter in 1955 informed increased feelings of black alienation in the affairs of NUSAS (Mthembu, 2010; Shivambu, 2013) it cemented its public position on black people (Mthembu, 2010).

According to Mthembu (2010), what would become clear was that NUSAS was out of touch with the broader black radical politics emerging in the country because of setting the matter around black students to the periphery considering its immediate priority of white unity and sustaining relative government recognition and financial support (Mthembu, 2010; Badat, 2010; Khuzwayo 2013).

However, following the introduction of the Extension of Universities Act (1959) - which criminalized the enrolment of black students into hitherto open (white) universities – NUSAS, now comprising of historically white (English) universities and students, began to run vigorous campaigns against the Apartheid government demanding the independence of the university to admit students regardless of race (NUSAS, 1977). It is also in the 1960s that NUSAS would also begin to run campaigns to place greater emphasis on the inclusion of black students in general (NUSAS, 1977). However, the 1960s are also when Black students would begin to organize themselves more formally.

In sum, the establishment of NUSAS in 1924 informs the genesis of SA's student movement along existing racial, cultural and language tensions underpinning higher education developments. As a result of limiting its membership to white students and white institutions only, NUSAS remained largely characterized and weakened by internal structural challenges and increasingly grew aloof to the lived realities of black students.

In addition, NUSAS can be characterized by its failures to meet increasingly militant and defiant black demands and drifted away from the socio-political crisis confronting the country and institutions of higher learning which mirrored, in various ways, the different positions of students, black and white English and Afrikaans. Moreover, the historical challenges of culture and language – the elevation of Afrikaans in particular – undermined the homogeneity of white South Africans and historically white institutions.

The split between English and Afrikaans institutions along two separate student organizations (NUSAS and ANSB) also point to a deeper issue of English and Dutch socio-political complexities which are often ignored. These complexities are rooted in historical cultural and language differences which, as discussed in the previous chapter, also inform higher education developments more broadly.

Notwithstanding, amongst black youth community organizations, young student leaders had begun organizing themselves outside of NUSAS and had entered a more antagonistic defiance campaign against the Apartheid Government following the introduction of Apartheid

in 1948 and its notorious inclination of radical and extremist black exclusion. One of the earliest black student organizations recorded is the African Student Movement.

### **4.3 The African Student Movement: South Africa's first black 'student' formation**

#### **4.3.1 African Student Movement**

Almost erased completely from the shelves of history, a great step in the development of Black student formations was given a boost with the formation of the African Student Movement (ASM) in 1968 (SA history online). Since no other Black student organization is recorded in history before it, the ASM had no precedence to follow. Instead, "it came into existence with the objective of meeting the immediate needs of the urban-based school-going youth" (Diseko, 1992: 42).

The catalyst of its formation were Black high school students from the Soweto township and particularly in response to the growing authoritarian nature of African schools following the introduction of Bantu Education Act in 1953. The Bantu Education system was introduced to provide inferior education to Africans and to prepare black people for unskilled labor under the newly evolving apartheid society.

Under Bantu education, African schools were poorly equipped, and teachers were underqualified: "white schools had 96% of teachers with teaching certificates, while only 15% of teachers in Black schools were certified" (Garson, 2004). The Apartheid government also spent far less on the education of black students in comparison to white institutions and white students, "an average of R1,211 on education for each white child and only R146 for each Black child" (Boddy-Evans. 2020).

As a result, African schools functioned like overcrowded prisons presided over by a demoralized body of teachers (Boddy-Evans. 2020). In response, the ASM was formed to coordinate and represent the growing grievances facing black students across high schools (SA history online). The ASM ran campaigns which focused on three main issues:

Firstly, the ASM campaigned for the introduction of Student Representative Councils (SRCs), which constituted an important part of the organization's strategy to formally represent the concerns and grievances of students; secondly, the ASM also campaigned for the introduction of summer and winter schools which were aimed at helping students prepare better for their matric exams; and, lastly, the ASM ran campaigns to end compulsory student involvement in



extramural activities such as singing competitions which took away from teaching and learning (SA. History online, 2011).

However, the ASM faced resistance to all its demands. Principals were opposed to the introduction of SRCs which would bolster the influence of students in governance affairs (Diseko, 2012). According to Madibane (cited in Diseko, 2012: 14) who was a student at the time, this was informed by an attitude that viewed students as “need[ing] to be put in their place”.

In addition, the demand for summer and winter schools only resonated in a few schools which sympathized with students (Boddy-Evans. 2020). This included Orlando High School, which introduced summer and winter school in 1970 and 1971 (SA history online, 2011). Lastly, compulsory extramural singing competitions – which took up over 50 per cent of the first term - were often put together by teachers from different high schools who used that as an opportunity to escape the overcrowded classrooms which left many of them demoralized (SA history online 2011; Diseko, 1992; SA history online, 2012).

Lastly, members of the ASM were often persecuted by school authorities, with several schools banning the organization’s activities and victimized some of the leaders which left many of them either suspended or expelled (Lenkwe, 1990). Members of the ASM were also targeted by the Apartheid police and several of them were arrested for allegedly inciting violence and instability in state schools (Lenkwe, 1990).

Although its aims and objectives against the authoritarian nature of schools were clearly defined, according to Lenkwe (1990), one of ASM’s major shortcomings was that it lacked a clear ideological framework through which it could articulate its beliefs. In other words, the ASM did not adopt any ideology or lean towards any ideological inclination. Instead, it had adopted clearly defined programs aimed at addressing their immediate challenges.

Despite their campaigns bearing little to no positive results, and despite the targeted harassment against ASM members by the school authorities in collaboration with the state police, the ASM students used those experiences to organize themselves better, and through engaging with other students from other provinces, the idea for a national student structure began to find resonance.

It is also through these engagements that the ASM would later enlarge its composition to include Indian and Colored students in line with new definition of ‘Black’ which was influenced,

as will be shown below, by the introduction of the South African Students Organization (SASO) and Black Consciousness thought. SASO and BC thought were influential in raising the political consciousness of these learners towards a more concerted campaign of Black liberation and anti-apartheid sentiments which were emerging within the broader Black community (SA history online, 2012).

In sum, although the ASM campaigns did not register significant victories, its activities during this period were effective in placing the challenges structural inequality and Bantu education policies which had a negative effect on the development of African students. It was the work of ASM, founded by high school learners, which placed black student politics high on the national agenda, and their activities constituted the first serious attempt by black student formations to target the urban secondary and high school constituencies.

As it relates to ASM, in 1972 it was renamed the South African Students Movement (SASM), gaining prominence after its members organized academic boycotts and coordinated events against Bantu-Education and the Apartheid government's plan to impose Afrikaans as a medium of instruction across schools (SA history online).

#### ***4.3.2 SASM and the 1976 Soweto Uprising***

As mentioned above, having been born out of the immediate challenges of authoritarian practices under Bantu Education system, the ASM had not adopted any clearly defined ideological framework in its early stages despite having many clearly defined political objectives and campaigns. It was not until 1972 that the ASM would adopt Black Consciousness philosophy as an ideological framework which subsequently informed the changing of the organization's name and more ideologically informed campaigns and activities.

The renaming process followed several engagements between ASM members and the newly established South African Students Organization (SASO) - which was formed by black students in Bantu universities. The discussions reflected on the whether the use of the word 'African' intended to exclude other sectors of the oppressed community- namely Indian and Colored people.

According to Dibetle (2009), ASM members explained that it was not intended to exclude since they had already established working relations with colored and Indian learners across schools in Lenasia and Noordgesig (which were Indian and colored residential areas near

Soweto). Since exclusion was not the premise underpinning the name, and to avoid the insular nature of the word 'African', the ASM was successfully influenced to change its name to the South African Students Movement (SASM).

The discussions also further influenced the SASM (as ASM was now known) to adopt Black Consciousness thought as a guiding force alongside the BC definition of Black, which included all those oppressed under apartheid (i.e., African, Indian, and Colored). Under SASM, and with the influence of the BCM and SASO, new campaigns were adopted by high school learners driven by a clearly defined Black consciousness philosophy.

According to Steve Biko, who was one of the founders of SASO and the father of BC thought, the essence behind BC thought was “[the] realisation by the black man of the need to rally together with his brothers around the cause of their oppression - the blackness of their skin – and ...to demonstrate the lie that black is an aberration from the 'normal' which is white” Driven by a clearly defined ideological BC position, SASM adopted campaigns which vigorously targeted apartheid policies on education. One critical campaign was directed at the activities of the South African Bureau of Racial Affairs, which promoted the Bantustan policy through education, and which called for further division along racial and ethnic lines.

Other SASM activities included joint programs with newly established structures such as the Black Peoples Convention, Society for African Development and the Transvaal Youth Organization which focused on mobilizing black parents, non-school youth, and migrant workers towards a concerted effort of resistance against the apartheid regime, Bantu education and Bantustan policies.

In 1974, the Apartheid government introduced plans to make Afrikaans compulsory as a medium of instruction alongside English (SA history online, 2013); and in 1975 announced further plans to impose Afrikaans in half of all subjects taught in standard 5 and 6 across the Bantu schools. Many black learners and parent rejected these announcements. For many black students, “Afrikaans was seen as the language of the oppressor [i.e., apartheid government] and raised the anger of the students” (SAHA, 2020: n.p).

At the start of the 1976 academic year, some learners, with the support of their parents, staged various protests to further raise their grievances. These attempts were unsuccessful as the state went ahead to introduce Afrikaans successfully across schools (SAHA, 2020). It is at this point that SASMs role would become pivotal in coordinating grievances of students across schools in Soweto and youth uprising against Afrikaans in June 1976.

### **4.3.3 1976 Soweto uprising:**

When students eventually took to the streets to march against the imposition of Afrikaans as a medium of instruction, it was the SASM and the newly established Soweto Student Representative Council (SSRC) - made up of two representatives from all the high schools in Soweto (SAHO, 2020) - which was behind the coordination and implementation of a National Day of Action (SA history online, 2009).

Through the broader coordination of SASM Naledi branch, a mass meeting was convened on 13<sup>th</sup> of June 1976, and attended by more than 400 high school students (SAHA, 1991). Collectively, the students resolved to organize a march in a few days against Afrikaans imposition across schools which would culminate at a rally in Orlando Stadium in Soweto (SAHA, 1991).

On the morning of 16 June 1976, about 20 000 students in Soweto took to the streets to march peacefully towards Orlando Stadium to register their objection against the imposition of Afrikaans in schools (Sibuye, 2017). The students marched peacefully carrying placards which read 'down with Afrikaans' and others reading "Afrikaans must be abolished" (Diseko, 1992). Diseko (1992) also described the mood of students as "innocent and genuine rather than anger and frustration".

Notwithstanding, these students marching peacefully were met with heavily armed police who fired rounds of live ammunition into the crowd of students, claiming the lives of over 500 students and injuring hundreds more (Sibuye, 2017). In addition, many student leaders of SASM and SASO who were identified to be central to the events in Soweto were arrested and tortured, including Steve Biko who was singled out as a threat to the Apartheid state (SA history online, 2009; 2011).

Clashes between students and police continued, with students retaliating with stones and targeting some of the Apartheid symbols of oppression such as the West Rand Administration Board offices which, according to Sibuye (2017: 14), "were seen as a symbol of the white man's control of their lives". In response, state repression against black politics increased; over 20 political organizations were banned from political activity – including SASM and SASO - and some prominent leaders were targeted and arrested, including Steve Biko who was killed in September 1977 whilst still in police custody.

The aftermath of June 16 events exposed the brutality of the apartheid regime to the international community (SAHO, 2001). Although the protest was violently crushed by the apartheid state, the impact of the protest and the significance SASM cannot be understated. According to SAHO (2001), more than just a local protest in Soweto, the events of 1976 marked a watershed moment in SA's history. "It represented the biggest single challenge (after Sharpeville Massacre) to the apartheid state precisely because it was directed at an education and political dispensation which had oppressed black people for over a century" (SAHA, 1991. N.p).

Moreover, the events of 1976 exposed the underlying contradictions of the apartheid state. Key amongst them was the inferior education provided to Blacks through racist education policies (SA history online, 2009; 2011; SAHA, 1991). Following the banning of a number of student organizations involved in the 1976 uprising (SASM included), the Congress of South African Students (COSAS) was established in 1979 (see Matona 1992 analysis of COSAS 1975- 1985), which would continue to be the driving force behind black student politics across secondary learning institutions into the 1980s when popular violence had spread across the country (SAHA, 1999; Matona, 1992).

Notwithstanding, the role of SASM in the literature is downplayed often by the focus on the establishment of the South African Students Organization (SASO) which was formed in 1969 and which – as will be discussed below- played a supporting role to the learners across schools.

#### **4.4 The establishment of SASO**

Unlike ASM/SASM, which had been born out of the immediate threat of Afrikaner language imposition in secondary schools, the South African Students Organization (SASO) was established in 1969 by black students in higher education institutions who could no longer tolerate racial inferiority and structural exclusion in the affairs of NUSAS. For these students, NUSAS as a liberal organization dominated by white students was unable to tackle deep racist structures and policies of apartheid higher education. In response, they formed SASO as the country first Black Conscious student organization.

According to SA history online (2009; 2011), a critical ingredient in the formation of SASO can be traced back to 1967 at a National Conference of NUSAS. Because NUSAS was considered a white student organization, Rhodes University, as a university reserved for white students under the Extension of University's Act (1959) refused to provide mixed-accommodation and eating facilities for the non-white delegates at the institution.

This refusal, it is argued, was in obedience with the Group Areas Act (1950), a law NUSAS professed to abhor but did not oppose (Pityana, 2009). NUSAS found itself playing on two ends of opposing forces: “[it] condemned Rhodes university officials [for the racial segregation] while cautioning black delegates to act within the limits of the law”. According to Barney Pityana, a delegate at the time and one of the cofounders of SASO, this position adopted by NUSAS resembled “empty echoes by white people who [we]re not committed to rattling the status quo but who skillfully extracted what best suited them from the exclusive pool of white privileges” (Pityana, 2011: 4).

Moreover, the discontent also gave rise to the ‘best-able debate’, which had several black student leaders consider whether white liberals and white organizations were the best people to define the tempo and pace of black resistance (Pityana, 2011; 4-7). Amongst such student leaders was Steve Biko, a medical student at the Natal University, who argued strongly that true liberation would be possible only if black people became their own agents of change (Biko, 1970). In his view, this agency could only be enabled by an awakening of black people which was devoid of inferiority complexes which underpinned the black society (Biko,1970).

The idea that black people should define themselves and determine their own destiny became a vibrant idea amongst many black student leaders who had experienced frustration concerning their relegation as “second class citizens” within affairs of NUSAS (Gerhart, 1979: 261). According to Gerhart (1979) these collective experiences would eventually lead Biko in 1968 to rally support from other student leaders for the establishment of an exclusively national black student organization that would champion the interests of black students more effectively.

As a result, in 1969 the South African Students Organization (SASO) was birthed at the University of the North in Pietersburg (Now University of Limpopo in Polokwane). At this conference, Steve Biko was elected as its President who subsequently declared SASO a Black Conscious student organization. SASO defined Black Consciousness as an attitude of mind, a way of life which called upon black people to reject all value systems that sought to make them a foreigner in the country of their birth, and which reduce their basic human dignity.

Rejecting the role that white people could play in the liberation of Blacks, Black Consciousness proponents identified (white) race – and by extension structural racism – as the primary line of political cleavage in South Africa (Biko, 1969; Shivambu, 2009). As a BC organization, its

main goal was “to get black people to articulate their own struggle and reject the white liberal establishment from prescribing to people” (Pityana).

According to (Thompson (2012; 3), this approach was the “dramatic attempt by a new generation of intellectuals to reinvent the identity of black people through strategies that intentionally undermined the founding principles of apartheid system”. In this way, SASO became the machinery to mobilize urban black youth against the “artificial symbol of integrated student politics and white liberal leadership” (Gerhart, 1979: 261).

According to some scholars, the development of BC thought must also be understood as the continuation of the liberation struggle which was waged by liberation movements such as the African National Congress (ANC) and the Pan African Congress (PAC) which were banned alongside other black political organizations following the Sharpeville Massacre in 1960. In other words, SASO and BC thought built on the vision of liberating black people as set by its predecessors (the ANC and PAC) although its approach was different.

From the onset, BC was not meant to be confined to an institution or one political organization. “Architects were interested in rallying the whole country to fight against apartheid regardless of their political affiliation” Dolamo (2017: 8). As such, the concept of BC implied the awareness by black people of the power they yielded as a group (both economically and politically), which required group cohesion and solidarity as fundamental imperatives for the cause of justice.

This would also shift SASO from rejecting the language of non- racialism espoused by the Congress Movement in favor of a radical language of black solidarity (Thompson, 2013). SASO understood ‘Black’ to include Indian and Colored individuals in South Africa as part of the oppressed ‘black’ under the racist apartheid regime (Badat, 1999). In this sense, SASO opened its membership to Black, Indian, Colored students, and institutions (Badat, 1999).

While its definition of black did not limit itself to pigmentation, SASO and BC proponents were very clear that no white person could qualify as black or lead the struggle of black people, including white liberals who argued – as with NUSAS in the 1960s - to sympathize and empathize with the oppressed black people (Biko, 1970). Several reasons were advanced:

White liberals, it was argued, could not experience the oppression meted on black people no matter how sympathetic or empathetic they could be (Khoapa, 2008: 82-87). White liberals were also considered to be inherently paternalistic and condescending because of regarding

black people as inherently inferior and in need of white tutelage (Biko, 1978: 88-89; Khoapa, 2008: 82-87). They were also regarded as beneficiaries of apartheid and therefore their involvement was considered superficial and half-hearted (Biko, 1978: 88-89; Khoapa, 2008: 82-870).

For these critics, white liberals were welcomed to join the struggle of black people with the sole mission of converting their fellow white compatriots to the cause of justice (Biko, 1974). In openly calling out the liberal and exclusive white dominated nature of NUSAS, SASO was able to amplify the case of 'black' students within the national liberation discourse. It also laid the foundations for a rich vibrant student political activity in historically black universities against the racist state (Biko, 1969; SASCO, 2001).

As an Organization, SASO was initially allowed to operate as the apartheid government merely considered it to be in line with their policy of separate development (Du Plooy, 2009). During this period, SASO engaged in mass-based programs and activities which included community meetings, educational workshops and political schools amongst black communities located townships spreading the message of BC school of thought (Badat, 1999; Nolutshungu, 2012).

SASO and BC thought became associated with black power and African humanism (Shabangu, 2009). BC thought also became adopted as the basic philosophy in a program of black liberation. However, in the early 1970s the Apartheid government increasingly began to view SASO and BC proponents in Bantu universities as a threat to national security (Du Plooy, 2009).

By 1971, SASO's influence had spread beyond the Bantu universities and into the communities where a growing number of students who graduated from Bantu universities, and who believed in BC thought, needed a political home to advance their BC ideals. In attending to this matter, SASO leaders moved for the establishment of a new wing of SASO that would embrace the growing demand it had in communities.

As a direct result, in 1972, the Black Peoples Convention (BPC) was established with the aim to advance BC philosophy in black communities. This community-based approach would also later give SASO institutional flexibility to survive apartheid repression (Badat, 1999; Nolutshungu, 2012).



By the end of 1972, four branches of the BPC were launched, which included black church leaders, organized labor, artists, and other sectors of society which became increasingly politicized. According to Mzimela (1983), this is also how BC exponents would become the most outspoken, courageous, and provocative in defiance of white supremacy and the apartheid regime.

The 1970s is also a period in which SASO would define itself as a powerful force opposing the state and Apartheid (SAHO, 2011). One momentous event pivotal to SASO's influence was a speech conveyed in 1972 by the SRC President, Ongopotse Tiro (SASCO, 2001). During a graduation ceremony at Turfloop University, Tiro used the platform given to the SRC to deliver a graceful attack on Bantu Education and the Apartheid Government's position on black segregated schools and apartheid education (SA history online, 2008: n.p).

Following his address, the apartheid police arrested Tiro the next day, and the university authorities subsequently expelled him days after his address. The expulsion followed directives of the apartheid government and their influence and control on Bantu schools which was largely authoritarian (SA history online, 2011: n.p; Badat, 1999). In response to the expulsion of Tiro, SASO adopted the 'Alice Declaration' in May 1972, which called on black students to boycott Apartheid education across the country and pledged to shut down all black tertiary institutions in solidarity with Tiro (Badat, 2011).

As a result of the Alice Declaration, between 1972- 1976 Black Consciousness was fast became the new language amongst many black students and formations. It was also following the Alice Declaration in 1972 that leaders of SASO engaged with high school student - in particular the student leaders who had formed the ASM (discussed above) - towards adopting BC principles and agenda.

It is also the influence of SASO, and BC thought which led SASM (as ASM became known) and the newly established SSRC to march in 1976 against the imposition of Afrikaans as a medium of instruction in Bantu schools- what would become known as the 1976 Soweto Uprising.

As previously established, the Apartheid government responded to the 1976 with violence in the form of live ammunition fired into unarmed students, targeting, and arresting student leaders and banning student political organizations which were identified to be central to the Soweto uprising (SAHA, n.p). moreover, these events marked a watershed moment in the country and education institutions which were now functioning under a state of emergency.

Moreover, the banning of black student organizations linked to the 1976 protests - SASM and SASO amongst others - also resulted in a major blow to the continued role by SASO and the future of BC philosophy. Since the apartheid government was determined to crush the growing influence of BC thought through killings, arrests and banning, SASCO (2001) points out that during this period, BC leaders and their ideas were no longer being met with the same response by some members who joined the ANC in exile.

During this same period, black universities also experienced a lull in political activism as the imprisonment of SASO leaders and the banning of the organization created a vacuum across black universities. However, as will be shown below, this vacuum was to be filled by the establishment of the Azanian Students Organization (AZASO) in 1979, which initially took on the baton of the Black Consciousness and black student politics across higher education institutions

#### **4.5 The establishment of AZASO and its evolvement to SANSCO**

##### **4.5.1 *The establishment of AZASO***

Initially set as a continuation of SASO - which was still a banned organization (Badat, 1999) - the Azanian Students Organization (AZASO) was established in 1979 and became popular quickly across historically black institutions. Building on from the foundations carved by SASO, AZASO managed to bring together SRCs from historically black institutions which were now operating under heavy state security and repression (Badat, 1999; SAHA, 1991).

AZASO continued to spread the message of BC thought through its daily activities which included writings, engagements, conferences and so forth. AZASO soon became the center of black student campaigns and protests against the apartheid system and racial discrimination across higher education institutions in the 1980s (Badat, 1999). Throughout the 1980s, school boycotts spread across the country in defiance against apartheid government and following the events of 1976. However, there was growing criticism around BC thought and violent state repression against black radical student organizations following the aftermath of the 1976 Soweto Uprising.

According to SAHO (2012) "one of the key instruments used by the apartheid government to neutralize political dissent was the state of emergency". Under the emergency, organizations could be banned, meetings prohibited, and people detained (SAHO, 2012). An emergency also gave the state extra ordinary powers to infringe on the rights of its citizens. "It was a

draconian instrument used by the apartheid government to suppress political dissent and control people in large numbers while bypassing legal avenues”.

For instance, in 1985 a state of emergency was also declared by apartheid president PW Botha in 36 of the country's 260 magisterial districts where black formations were strong (SA history online). Within the first six months of the emergency, 580 people, many of them linked to BC philosophy, were reportedly killed by apartheid police. In addition, in 1986, a national state of emergency was declared. According to SAHO (2011) this state of emergency differed in that it was more vigorous than the one announced a year earlier: “Political funerals were restricted, curfews were imposed, gatherings were banned and news crews with television cameras were banned from filming in areas where there was political unrest” (SAHO, 2011)

This approach of governance would have an overall impact on the activities of BC proponents who were heavily sought after by the state. As the BC social force began to wane because of the clampdown by the Apartheid state, AZASO soon divorced itself from BC philosophy and adopted the Freedom Charter in 1986. By adopting the Freedom Charter, AZASO aligned itself with the principles of non-racial espoused the Freedom Charter (Badat, 1999). This propelled AZASO to subsequently change its name to the South African National Students Congress (SANSCO) and became an integral component of the congress movement in South Africa (SA history online, 2008).

#### **4.5.2 From AZASO to SANSCO: the changing face of black student politics**

According to Badat (1999, 368): “SANSCO (as AZASO was now known) sought to first be itself by building a mass student base and attempted to make a distinctive contribution to the democratic struggle in South Africa by defining the education sphere as its primary terrain of struggle, and the democratisation and transformation of higher education institutions as its principal objective”. Unlike SASO which was critical of white leadership leading the cause for black liberation, SANSCO (as AZASO was now known) worked to bridge this gap between black student organizations and NUSAS through developing a working alliance on the Education Charter Campaign (ECC) as an alternative to apartheid education (SAHA, 1991).

The ECC elaborated the expression of the Freedom Charter that “the doors of culture and learning shall be open to all”, and the need for students to formulate a common set of educational demands under the phrase “people's education” (Freedom Charter, 1955; SAHO, 2001). It is also through joint programs with NUSAS that SANSCO was able to confront white

English universities against the political and educational violence targeted at black people in their majority. According to Badat (1999):

“In the specific case of white English universities, the presence of SANSCO ensured that these universities were not spared the education and political conflict characterizing higher education. Collective action there forced university managements in white English universities to accelerate the deracialization of these institutions in some form, to reconsider goals and priorities that were historically shaped by a tradition of serving privileged white students and the political economic interests of the corporate capital, and to restructure various aspects of institutional culture and practices” (Badat, 1991: 375).

Throughout the 1980s, these joint programs and campaigns became pivotal to student resistance and to challenge the authoritarian nature of the apartheid state and its education policies (Badat, 1999). However, in 1988 the apartheid government issued a second ban on several student political organizations – including SANSCO and NUSAS - which were seen as a growing threat to state stability (see *Black Student Politics: Higher Education and Apartheid from SASO to SANSCO, 1968-1990* Badat, 1999).

In 1989 NUSAS adopted the Freedom Charter years which brought it close to the aspirations of black South Africans and the growing influence of the congress movement (SASCO, 2001). In addition, following the unbanning of the ANC and the release on Mandela in 1990, pressure mounted on both NUSAS and SANSCO to establish a single non-racial student organization to articulate student aspiration: “there was no longer a need for racially divided student movements across campuses” (Maloka, 2020).

#### **4.6 The Establishment of SASCO: South Africa’s first nonracial student organization**

Between 1- 6 September 1991, about 600 black and white students from SANSCO and NUSAS met at Rhodes University in Grahamstown to launch the South African Students Congress (SASCO). Gathered under the banner “toward a single non-racial student organization” (SASCO: 1991), the birth of SASCO signaled an end to the legacy of separate organizations for progressive black and white students in institutions of higher learning (SASCO, 1991; 2001).

SASCO’s strategy and tactics are neatly captured through its Strategic Perspective on Transformation document, which it used as a framework to guide the development of higher education during the transition period (see SPOT document: A Political Guide to Action on the

Strategies and Tactics of SASCO) (SASCO SPOT Document, 2004; 2016). In effect the SPOT document was used by SASCO to challenge the capitalist underpinnings of Apartheid higher education, arguing that the right to education should not be commodified; and using the SPOT document, SASCO contributed to the fight to transformation of institutions of higher learning through policy development and institutional governance structures (SPOT, 2004; 2016).

In the fight against the commodification of education, SASCO undertook various campaigns in demand for accelerated access into institutions of higher learning, which included shutting down institutions of higher learning through protest and in demand that students from poor and working-class backgrounds – most of whom were black students – to be allowed to register. In this way, SASCO continued to be at the cutting edge of the struggle for increased access and the transformation of institutions of higher learning which can be summarized by the #RightToLearn campaign adopted in 2004.

Unlike SASO which identified race as the line of political cleavage in South Africa, as a non-racial organization, SASCO identified class struggle to be the underlying problem in South Africa which, it argued, gave rise to other forms of struggle especially in the higher education space (Mabasa, 2016). Committed to dismantling the apartheid capitalist architecture, SASCO would later employ Marxist Leninist theory as tools of analysis and to establish its #RightToLearn campaign.

The Right to Learn Campaign was aimed at accelerating the demand for increased access, and over the years this program began to shape the tone and pace of growing post-apartheid student politics in institutions of higher learning. The right to learn campaign was also informed by a growing number of (black) students who could not afford the cost of tuition and the funding challenges experienced with the National Student Financial Aid Scheme which left trapped students into debt.

In addition, an increasing number of students mainly in historically white universities were beginning to experience financial challenges because of the exorbitant tuition fees. This would lead to the creation of the missing middle- that is those students who were considered too rich to receive government loans and bursaries (i.e., NSFAS) but who were too poor to afford the high cost of learning (Nkosi, 2014).

This would lead to various campaigns by student organizations for government to expand its scope of definition regarding poor student. Through the collection of one million signatures of students across the country, SASCO's mobilized students around a clear demand for free

education: “as SASCO we call for the immediate introduction of free education for the working class and poor” (SASCO one million signatures petition, 2004; 2014).

Through the RTL campaign, SASCO was able to amplify the cause of poor black students, shutting down many universities during registration periods at the start of the year, in attempts to get students from poor and working-class backgrounds who could not afford the cost of education to register for free (Xaba, 2017). As a result, SASCO continued to enjoy the overwhelming support of students from poor and working-class backgrounds across higher education institutions, which could be measured in the resounding victories in student governance structures, in particular SRC elections (SAHA, n.p).

In contesting SRC elections, SASCO viewed student governance as the vehicle to accelerate transformation in institutions of higher learning as envisioned by the higher education act (SASCO, 2001). Through various statutory bodies, SASCO would use its members in various SRCs to advance its objectives described in its SPOT document through institutional governance structures and the department of higher education, which would meet regularly with the student organization nationally (SASCO, 2001; DHET 2004; 2008)

The dominance of SASCO through SRC elections also brought about two concerns. According to a report by the DHET on student governance compiled in 2014: “the overriding view [by university managements] seems to be that the dominance of student organisations, which are linked to political parties, results in ‘narrowness and parochialism’ in dealing with student issues, and fuels tension and conflict within the student body because of a lack of tolerance” (DHET, 2014: 110).

In addition, the concern around student political organizations led some universities to develop various interventions to depoliticise student organizations and the student body (DHET, 2014). Many historically white universities specifically, limited the power of student governance structures in significant and drastic ways. For instance, the University of Pretoria introduced a student governance system where party political representation was (and still is) not allowed (UP, 2008).

According to UP: “this model seeks to depoliticise student governance [at UP] in an attempt to better address students’ needs in particular and to eliminate the involvement of external political groups in the internal student affairs of the university (UP, 2008:16-17). However, this has been met with resistance by student political organizations, in particular the South African Students Congress (SASCO) at the university. According to SASCO (2010), “these former

white institutions have sought to eliminate the active involvement of student political organisations who champion the interests, aspirations and frustrations of their constituencies without failure and betrayal in organs of student governance”.

Notwithstanding, another challenge as it relates to historically white universities had to do with a growing sense of alienation amongst black students. Studies in the early 2000s had already suggested that many black students have expressed their awareness of the negativity they receive from their white peers (Livingstone, 2002). In most cases, this has led to mistrust amongst white and black students (Soto, Dawson-Andoh and BeLue 2011).

In addition, Black students have also been subject to stereotypes which has led to anxiety, depression and suicide in some cases (Fisher, Wallace and Fenton 2000). And in some cases, these feelings have been alienating, leading to heightened hostility between students from different races (Jansen, 2003). Moreover, hostility amongst students was further exacerbated by various residence cultures and practices. In the case of historically Afrikaans institutions, some traditions have been violent towards black people and women in particular (Smith, Allen and Danley 2007).

For instance, in 2008, students at UFS misled the cleaning staff into drinking a mixture they had prepared which included urine. And in 2012, students at the university of Pretoria dressed up as domestic workers, painting their faces black which became known as “black face”- a colonial and racist theatre practice which emanated in France. As a result, Unlike SASO which placed race and Black Consciousness thought at the pinnacle of political cleavages in the country and across universities, the Marxist influence underpinning SASCO’s SPOT document and organizational oscillation would prove to be incapable to respond effectively to the growing racialized concerns and demands of students in historically white universities as a result of its appeal to non-racialism (Mkhize, 2015).

In other words, non-racialism presented SASCO with ideological inadequacies which placed certain limits on how SASCO would continue to respond to the changing nature of student politics and the broader student political climate against the backdrop of calls to decolonise higher education institutions in South Africa (Mkhize, 2015).

It was not until the birth of the Economic Fighters Student Command (EFFSC) that the language of decolonization and political energy would soon radically lend itself to the corridor of institutions of higher learning. Its radical posture is a result of how the EFFSC would valorise

racial language in public spaces such as universities, and in a country where nonracialism has been the long-standing appeal

#### **4.7 The EFF Student Command and the language of decolonization**

Launched on 16 June 2015 at the University of Limpopo, a previously disadvantaged university- and according to the EFFSC Facebook official account- the EFFSC was “inspired by the June 16 moment and the need to ‘finish-off- the liberation project of our South African racial and colonial past”. EFFSC’s basic programme as outlined on their official website include: “the complete overthrow of a neoliberal anti-black system and the realisation of students’ power” (EFFSC Website, 2016). Launching the organization at UL also carried significance, according to Naledi Chirwa, founding Spokesperson of the EFFSC in 2015: “Turfloop (University of Limpopo) is where the heart of black student politics lies. It carries a rich history rooted in Black conscious thought and radical student activism; and so, it was important to revisit that history and bring it back to life” (Chirwa, 2019)

Amongst some of the EFFSC first programs of action in institutions of higher learning was the establishment of the decolonial project in cosmopolitan universities; first the Witwatersrand University, and shortly thereafter at the University of Pretoria (Chirwa, 2019). In the Witwatersrand University, this program was termed DecoloniSingWits and at the University of Pretoria, #DecoloniSingUP (the capital ‘S’ is in relation to protest songs) (Chirwa, 2019). Establishing these programs at both these universities entrenched the identity of the EFFSC in student politics and more broadly, in the national political arena.

Notwithstanding, the EFFSC contestation in Student Representative Councils elections across the country- effectively challenging the long held monopoly of SASCO- only began asserting and finding expression in previously disadvantaged black universities such as Vaal University of Technology, University of Limpopo, University of Venda in 2014 (where it won SRC elections defeating SASCO); and then subsequently began to increasingly grow in historically white universities such as Wits and the University of Pretoria where there was a growing sense of black alienation and institutional racism.

EFFSC therefore presented an alternative quest for free quality education which had already been established in the history of the student movement; the quest for decolonization through protest action; contesting for political student governance and the invigoration of the worker’s struggle in institutions of higher learning (EFFSC website 2017: Chirwa, 2019). In this way, the dominance of student organization representing black student would be heavily challenged by the new black radical student organization.



EFFSC was able to reintroduce an approach to black student politics which was last seen in the pre-1994 era, with black organization such as SASO and AZASO utilizing black consciousness as their tool of analysis. EFFSCs adoption of Black conscious thought would challenge SASCO (and its Marxist-Leninist Leanings – ‘class analysis’) over influence of black student politics. This would ultimately reconfigure black student politics who now had competing options to represent their concerns and interests

#### 4.8 Conclusion

To this point, my concern has been to explicate the historical roots and essential features of South Africa’s student movement leading to 2015. This is because it is important to understand the 2015 student protests and by extension the evolvement of student politics against the backdrop of their wider historical socio-political trajectories. In other words, the decolonial turn in South African universities at the start of 2015 must be seen alongside the kind of political praxis developing within the student movement and its evolvement leading to the 2015 student protests.

## Chapter Five

### The Fallist movement

#### 5.1. The Fallist Movement: An Introduction

Since the fall of Apartheid in South Africa not many citizens had imagined that 21 years into the country's new affirmed individual, educational and political liberties, the country's higher education sector would be brought to a complete standstill following a series of mass student protests. What started as a protest against a proposed fee hike of 10,5 % at Wits University, soon spread to other institutions across the higher education sector in October 2015, leading to thousands of students marching to the country's headquarters demanding free quality higher education.

Although the demand for free education has its roots in historically black universities, at the heart of much media attention since 2015, however, has been student protests at historically white universities, starting in the earlier half of 2015 with the #RhodesMustFall movement at the University of Cape Town, where students had used numerous decolonial frameworks to place today's demand for social justice in institutions of higher learning.

Demonstrating a strong critical approach towards the post-colonial and post-apartheid South African university, protesting students – however - have also come under fire for 'infringing' on the rights of other students (Naidoo, 2015), and have often been met with abrasive use of force by university authorities - in collaboration with the state (police, courts etc.) - to clamp down on student protests which have been largely defined as 'violent' (Kamga, 2018: Reinders 2018).

Drawing from the development of the student movement in South Africa, this chapter traces the emergence of the 'Fallist movement' which began with the #RhodesMustFall, #OpenStellies and the #FeesMustFall student protests. In addition, this chapter considers some of the ways university managements have responded to these wave of student protests and its implications for democratic governance in institutions of higher learning.

#### 5.2 Fallism and The Fallist Movement

As a philosophy, 'Fallism' can be described as a new strand of decolonial theory unique to the post-colonial and post-apartheid South African Higher Education 'transformation' project (Habib, 2015). According to Bofelo (2016), Fallism locates itself within the broader navigation

of “the continuities between apartheid and post/neo-apartheid realities [that] shape the political consciousness, ideological perspective and activism of students existing in post-colonial post-apartheid Higher Education sector and society at large” (Bofelo, 2016)

According to Naidoo (2016), Fallism is underpinned by five essential philosophical pillars that shape its character: Pan-Africanism, Black Consciousness thought (SASO/AZASO) alongside intersectional approaches towards race-class-gender through Black Radical Feminist thought which promotes dismantling patriarchy even within the movements spaces. These philosophical pillars locate the roots of Fallism in ideology and it can therefore be defined as an ideological and political nexus aimed at facilitating the reversal of colonial and apartheid injustices by eradicating all forms of oppression present in post-apartheid higher education and historically white universities in particular (Moya, 2015)

In considering the development of the Fallist movement more broadly, Fikile-Ntsikelelo Moya (2015) argues that the Fallist movement emerges from “the common thread of events and student movements unique to historically white universities that engages in campaigns and protests that demand the ‘fall’ (the eradication) of something or someone that- in post-colonial and post-apartheid context - antagonizes the lived realities of students- of black students; people - today” (Moya, 2016: 5).

Therefore, any attempt to understand ‘the Fallist movement’ needs to revert to a precursor to this ‘new’ strand of student activism which can be ascribed to the #RhodesMustFall (#RMF) movement at the University of Cape Town in April 2015, where students at UCT had demonstrated a strong critical approach towards the post-colonial and post-apartheid South African university.

### **5.3 #RhodesMustFall.**

The challenge to the slow pace of transformation by students in historically white universities can be traced back to a document titled “Wits Transformation Memo” which was released at the end of 2014 by post-graduate students at the Wits Political Science Department. The memo called for, amongst other things, the decolonization of the curriculum; an increase in black and women academic staff; and calling on the university to embrace the philosophical and intellectual traditions of Africa and the African Diaspora in order to transform the institution to “a truly post-colonial and post-apartheid university” (Wits Memo, 2014).

However, it was not until March 2015, that a student and activist at the University of Cape Town (UCT), Chumani Maxwele, was recorded on a cell phone video intentionally throwing

human faeces on the statue of Cecil John Rhodes (1853–1902) which stood firm at the centre of the stairs leading up to UCT. The video, which went viral across various social media platforms shortly after it was posted (Facebook and Twitter in the main), brought into existence the #RhodesMustFall movement which would spark calls for decolonizing higher education institutions as a potential solution for institutional racism and transformation.

Locating the statue as the site of political struggle at the centre of one of South Africa's most elite historically white (English) institution had symbolic significance: it symbolized a rejection of the ideas that Rhodes himself promoted (Lonzi, 2016); it located the ideas of Rhodes as still existing at the University of Cape Town (Price, 2015); it demonstrated how knowledge production was therefore in every sense political (Ndlovu-Gatsheni, 2017); and the statue was thus a constant reminder of how and for whom the university was designed (RMF Memo, 2015)

According to Pillay (2016), these factors converge in a violent manner as the “everyday psychic manipulation” in historically white universities that enforces black students (formally/ informally) to glorify and celebrate colonial and apartheid statues, hallmarks and systems. Using a range of theories emanating from Biko and Fanon – amongst others - to define the theoretical foundations of the movement, the students directed the attention to the statue of Rhodes as an entry point into a much bigger debate on institutional transformation and racism and the growing calls to decolonize the institution's curriculum, pedagogy and academic staff amongst other aspects (Naicker, 2015).

Over the next few weeks, #RMF students undertook a series of campaigns and demonstration which included art performances, posters, study groups, public lectures, occupations and rolling protests calling for the decolonization of former white universities (Lonzi, 2015). In their tactics, students also barricaded entrances to the universities, and burnt colonial artefacts across the university which often brought them into direct confrontations with university securities, private security and law enforcement agencies (Wa Azania, 2015).

While some people saw #RMF as just another violent protest carried out by Black students underserving of their education (Afriforum, 2015; De Klerk Foundation, 2015), the #RMF movement demonstrated a strong ‘new’ way of thinking, speaking and activism by mostly black students in historically white South African universities (Maxwele, 2015). In addition, it succeeded in reopening a national debate of transformation by challenging the rainbow nation narrative, ‘born-free mantra’ and the longstanding appeal of non-racialism (Mabasa, 2016).

In the weeks that followed, new student movements emerged across other historically white universities where students were also troubled by various forms of institutional racism (Phiri, 2016). For instance, at Rhodes University, a historically white English university, the Black Student Movement (BSM) – initially formed in solidarity with the #RMF movement at UCT – challenged Rhodes University (RU) on its untransformed demographics of academic staff and the Eurocentric curriculum at RU which, they argued, did not reflect the location of it in Africa (Wa Azania, 2015).

However, the challenge concerning the university's role in post-apartheid South Africa cannot be held without referring to the dynamics of language as a medium of instruction and mechanism of exclusion in the post-apartheid universities (Du Toit, 2016). This was the concern of the #OpenStellies movement, where black students challenged the Stellenbosch University - a historically white Afrikaans institution - over its Afrikaans language policy as an entry point into transformation debates and calls for decolonization.

#### **5.4 #OpenStellies**

Unlike the #RMF and BSM movement whose critique of UCT and RU can be ascribed to the history of British colonial influence (i.e., Cecil John Rhodes) on higher education in South Africa, the #OpenStellies movement which emerged at Stellenbosch University in April 2015 was aimed at eradicating oppressive remnants of the Apartheid era which saw the continued use of the Afrikaans language as a means to exclude black students in institutions of higher learning.

Using language as a point of entry into a much broader debate around Afrikaans culture and racism in post-apartheid historically white Afrikaans universities, students captured their experiences of having to learn in Afrikaans at Stellenbosch University through the documentary #LUISTER (Listen in English). The documentary consists of 32 interviews of students and staff members openly detailing the racism, exclusion and discrimination present at the university (#Luister, 2015); which according to Beukes (2015: n.p) has “functioned almost unchanged since the fall of apartheid”.

What followed the Luister documentary was a series of art, public lectures, demonstrations and protest by students of #OS movement, demanding that the university come face to face with its structural racism by addressing the historical foundations of the institutions language policy (Duma, 2015): “it is for this reason that we [#openstellies activists] (s)ought to interrogate the rhetoric of the Language Policy in order to trace in it the Apartheid nostalgia that undergirds its very existence” (OpenStellies Memorandum, 2015).

According to Duma (2016), a student at Stellenbosch and the spokesperson of the #OS movement, the Stellenbosch language policy, which saw Afrikaans as the primary medium of instruction, “functioned to position Afrikaans language and culture as the normative code, to which every other non-speaker, generally non-white, is expected to adhere” (Duma, 2016). For those students who did not speak nor understand Afrikaans properly, the language policy sought to “preserve those forms of power predicated on white privilege and cultural hegemony”, (#OS Memo, 2015).

The #OpenStellies movement therefore focused on the issue of Afrikaans language and culture in historically white universities which promulgated the systemic exclusion of black students at Stellenbosch (Duma, 2016). Students barricaded entrances to the university, disrupted lectures and defamed a statue of JH Marais which was erected in 1918 following a donation of 100 000 to have the former Victoria University College transformed to Stellenbosch University after the 1916 University Act was passed (SU, 2016).

In the coming weeks, these students and their efforts would be met with a lot of backlashes from white Afrikaans students and staff who constituted majority of the demographics at Stellenbosch (Khumalo, 2017). In addition, Afrikaans student organizations such as Afriforum also approached the country’s courts against what it described as “an attack on Afrikaans culture and history”, as well as the constitutional right to mother tongue education (Afriforum, 2016; Pretoria News, 2016).

While #RMF and #OS brought the spotlight on transformation challenges in historically white universities, it was not until the second half of 2015 when the country’s higher education institutions would be brought to a standstill following student protests, encapsulated by the hashtag #FeesMustFall, demanding free education.

### **5.5 #FeesMustFall**

Although the #RMF and #OS movements were centred and located at individual campuses respectively (i.e., UCT/SU); in the second half of the 2015 academic year, student protests encapsulated by the hashtag #FeesMustFall (#FMF) became a new common site across higher education institutions. Conceived in the media initially in response to a 10.5% fee increment at the Witwatersrand University, the #FMF movement soon spread vehemently to other institutions of higher learning across the country in multifarious ways (Mabasa, 2016).

It is noteworthy in the literature that #FMF movement was an extension of a very much alive demand for free education rooted in historically black universities (Ebrahim, 2017). For example, universities that have received less media attention, such as Tshwane University of Technology, Cape peninsula University of Technology, and Fort Hare University- amongst other historically black universities) have been contesting fees accessibility from as early as 1994 and more recently since 2010 (DHET, 2016).

However, it was not until 14 October 2015, where students at the Wits university, a historically white English institution, staged a mass sit-in and protest against a 10.5% fee hike proposed by the Wits university management. These students, encapsulated by the hashtag #WitsFeesMustFall, shut down the main campus in Braamfontein, barricading the entrances to the university as a symbol of their exclusion (Hassan, 2015). By Midday the student protest at Wits had made headlines on major news channels such as SABC and eNCA, which dedicated a live channel to covering the events at Wits as they unfolded.

Notwithstanding, in days that followed the #WitsFeesMustFall, many other higher education institutions shutdown their institutions which put into motion calls for a national shutdown across the sector. On Friday 24 October 2015, just 10 days after the protest against fees started at Wits, scenes reminiscent of the student struggles against apartheid in the 1970s played across South Africa when thousands of students, staff and parents from different higher education institutions marched to the Union Buildings in Pretoria, and another group marching to the Parliament of the Republic of South Africa in Cape Town, forcing President Jacob Zuma to concede to a zero percent increment across the board.

While this explosive energy against fee increments found its way to the offices of national government (i.e., Union Buildings and Parliament), Masilela (2017) reminds us that it is important to study #FMF at the institutional level against the backdrop of student protests which had emerged at the start of 2015. According to Masilela (2017), giving this context has been important in academia and researching on student protests since 2015 for two reasons:

Firstly, it aids our understanding of two different hashtags, but which are often conflated: namely #FeesMustFall, and its appeal for fee-free quality education; and #FreeDecolonizedEducation, the ongoing site of resistance against white domination in historically white universities driven by historically marginalized groups (Masilela, 2017). Secondly, Masilela asserts that it is only through a study of #FMF at the institutional level where the full demands of students can be explored; and where, in some instances, the

demands of students during this period went beyond just fees (Masilela, 2017; Naidoo, 2015; Naicker, 2015; Shingange, 2015).

For instance, the #UPRising student movement which emerged in October 2015 at the University of Pretoria, a historically white Afrikaans university, which I was involved in, had a memorandum of 13 demands. The first demand: “We demand free education”, was directed at the state against the backdrop of the #FeesMustFall which cut across higher education institutions; yet the other 12 demands spoke to internal challenges that students faced specifically at the University of Pretoria such as the dual language policy, institutional racism, and the end of outsourcing.

Because of conflating these hashtags, the existing literature on the #FeesMustFall movement inadvertently overshadows other student movements and student struggles in historically white [Afrikaans] universities such as the #UPRising student movement in 2015 – which later evolved into the #AfrikaansMustFall movement at the University of Pretoria in 2016. This obscuring is because of the tendency to center the conversation on fees and the privilege afforded to historically white [English] universities.

As a result, the #UPRising which emerged during the #FeesMustFall wave of protests nationally must be seen along the continuation of the kind of politics which had emerged in historically white universities in the earlier half of 2015 such as #RMF and #OS (Naicker, 2015). Notwithstanding, despite the various points of divergence and convergence, the various Fallist movements (i.e., #RMF, #OS, #FMF) are not without shortcomings. Some of the most glaring weakness and a central thread characterizing many of these student activists and movements has been the ability of other violent oppressive systems - such as patriarchy and heteronormativity - that have been identified as problematic to marginalized groups such as women and members of the LGBTQIA+ community.

According to Chirwa (2016) these forms of violent oppressions are evidenced through “the positionality afforded to (black) men over (black) women through various accounts of toxic masculinity, sexism, homophobia and transphobia which shaped, in varying ways, the experiences of students within those spaces- women and queer bodies in particular”. The existence and growing trend of these oppressive systems within the movement provided a platform for feminist intervention through black radical feminist within the student movement (Chirwa, 2016).



However, despite the many ways in which women have largely been erased in accounts of (his)tory, black radical feminists have intentionally disrupted and redefined the meaning of black consciousness to place women as both a critical and central force in politics and within the various Fallist movement(s) more specifically (Chirwa, 2016).

In sum, while the #RMF, #OS and #FMF protests all occurred in relatively similar space of time, the movements were different in their objects of contestation and the contexts out of which they arose from. Nevertheless, they did play-off one another, as the drive to decolonise the privatised, economically exclusionary university cannot exist without the concomitant drive to decolonise the symbols and meanings that these universities espoused and vice versa.

Whereas the literature on #RhodesMustFall; #OpenStellies movement and the #FeesMustFall student movements collectively account for the various forms of institutional violence experienced by mostly black students in post-apartheid historically white universities, the focus on student movements since 2015 primarily affords most of the attention to the #RhodesMustFall student movement- as the catalyst for the Fallist discourse- which began at the University of Cape Town in the earlier half of 2015.

On the other hand, the literature also gives broad attention to the #FeesMustFall movements which first emerged at the Witwatersrand University in the second half of 2015 and against a 10% proposed fee hike by the institution. This has resulted in student protests in historically white universities which express the dissatisfaction of black students against the post-colonial and post-apartheid university that frame the narrative of Fallism to be documented and understood primarily through the lens of historically white English universities such as UCT (#RMF) and Wits (#FeesMustFall) respectively.

The #RMF and #(Wits)FeesMustFall are also collectively being used as the overarching reference points when speaking about student protests in institutions in historically white universities since 2015. By implication, the literature also underestimates the divergent and critical historical and cultural foundations that inform student protests in historically white universities, and which - in turn- inform various strategies and approaches to institutional governance in historically white Afrikaans universities specifically.

Conversely, this has meant that less scrutiny and academic engagement have been afforded to other historically white universities which fall outside the dominant approach, analysis, and discussion of historically white English universities more generally, which could broaden our

understanding of the Fallist discourse and violence in institutions of higher learning since 2015.

### **5.6 Responding to the Fallism discourse**

Using numerous decolonial frameworks to place today's demand for social justice in institutions of higher learning, protesting students – however - have come under fire since 2015 for 'infringing' on the rights of other students (Naidoo, 2015), and have often been met with abrasive use of force by university authorities- and at times in collaboration with the state (police, courts etc.)- to clamp down on student protests which have been largely defined as 'violent' (Kamga, 2018: Reinders 2018).

In addition, Kamga (2018) observes that these responses by some of the universities have been characterized by a 'de facto state of emergency' on the side of the university modelled around extreme police militarization of campuses (Kamga, 2018; Reinders; 2018; Duncan, 2017) exacerbated by the unlawful outsourcing of private security (PSIRA Report, 2017) effectively resulting in the rights of students and the rule of law being brought to a 'de facto standstill':

In writing on student protests in institutions of higher learning since 2015, the existing literature has often narrowed the discussion around decolonizing the curriculum (i.e., #RMF) and fees (i.e. #FMF) which, by implication, (mis)represents the growing students demands for socio-political justice in historically white universities against the backdrop of neoliberal policies and the use of economic rationality as a principle of legitimacy as with the #FMF.

Far from being a matter of economic resolve alone, Naidoo (2015) correctly advances that "anyone who takes the time to listen closely to what students are saying will know that their actions are not ill-considered, and that their immediate struggle against fees increases is imagined as part of a much bigger struggle against a system that they characterise as 'violent' and speak of as experiencing in 'violent' forms in their everyday lives (for instance, #RMF)".

In response, university managements resorted to urgent court interdicts in the wake of student protests in 2015. The use of court interdicts enabled the SAPS to be brought onto university campuses to help deal with student protest, but which led to violence (Malabela 2017). Furthermore, "university management justified calling the police and hiring private security companies by saying that the aim was to protect university property" (Langa 2017: 8).

According to Reinders (2018; 74): “the willingness of universities to rush to use court interdicts and summon the SAPS speaks to the institution’s initial intent to strong-arm and threaten students and staff to desist from protesting, as well as denying them full citizenship of the university”. (Langa, 2017; Reinders, 2018). This clearly shows that some universities use security to protect their buildings and assets often at the cost of their students’ safety

Alongside court interdicts, universities have also resorted to high levels of militarization across university campuses. However, Reinders (2018) rightly emphasises that each university campus was different, and the severity of these measures varied from ““moderate security increases to full scale militarisation and security upgrade” (Reinders, 2018: 75). This ‘militarisation of universities’ was characterized not only by the deployment of armed state police, but also by the ways in which the university became “a police camp, a state camp and a site of surveillance” (Maringira and Gukurume: 2017: 42)

Langa (2017) further notes common tactics used by some universities in the process of militarizing during student protests since 2015: “the suspension and expulsion of students; the arrest of students; the hiring of large numbers of private security; the implementation of stricter access control to campuses; SAPS being stationed on campuses; and long-drawn-out court cases against student activists” (Langa, 2017: 76).

These measures are testament to the university using excessive securitization in the name of self-preservation, often avoiding dialogue and placing the safety of buildings by any means necessary above the safety of its students. This approach to securitisation by university managements is, according to Gillespie (2017: 3), “the too-quick, overly- reactive posture against the demand. It brokers in surfaces and symptoms, not in deeper issues at hand...”.

Therefore, it can be argued that the aggression of university institutional governance creates a sense of solidarity among protesters who justify the need to retaliate with violence as a form of self-defense. Moreover, as della Porta (2006) *et al* argue, the violent response from protesters is often rarely thought out and planned. Instead, it manifests in spontaneous events arising out of the closure of democratic space and the escalation of force by authorities (della Porta, 2006). In this sense, Della Porta reaffirms Fanon’s understanding that violence emerges from or begets violence.

As a result, the plain narrative that labels students as violent fails to consider how institutional overreaction to largely peaceful protests have escalated and radicalized student protests and actions (Duncan, 2016). More importantly, it is in the best interests of university management

to do more to break with this self-fulfilling and blame shifting prophecy by interrogating their contextual realities to understand their own contributions to violent outcomes (Duncan, 2016).

### **5.7 Conclusion**

Although the literature on 'Fallism' has usually addressed the collective concerns, demands and action of students in universities and often drawing a distinction between historically white and historically black universities, there has been little critical attention paid to the varying experiences within historically white universities themselves arising out of the different historical context of universities.

In addition, centred around the national conversation and the actions of student's actions alone, not enough research has investigated the many ways in which institutions of higher learning- as the primary site of resistance- responded internally and individually during times when the integrity of the university system was brought into question in the wake of #Fallism more nationally.

Interrogating this response carefully may reveal several important variations and considerations in historically white [Afrikaans] universities which have been overshadowed by the dominant focus on historically English universities - most notably the University of Cape Town (UCT) and Witwatersrand University (Wits) as it relates to the #RhodesMustFall and #FeesMustFall being ascribed to those institution respectively.

As a result, not enough attention has been given to the unresolved institutional inequalities, cultural practices and internal governance structures unique to each universities in post-Apartheid South African Higher Education institutions which enable conditions (as will be shown later) that reinforce historical, cultural and institutional violent practices- even subliminally.

Controversial and ambiguous as social movements can be, the 2015 student protests - and the various Fallist ambitions - presents broader polemical views and critical approaches which require deep reflection and engagement beyond the dominant focus of increasing student access and changing curriculum. One of the many ways this conversation has been concealed over time, to a large extent, is a result of the dubious relationship the 'university' shares with the 'state'; the challenges that arise from ambiguous concepts like (1) institutional autonomy, (2) public accountability and the grey areas that arise (often) in-between.

## Chapter Six

### From #UPrising# to #AfrikaansMustFall: a case study of student protests at the University of Pretoria

#### 6.1 Introduction

Since 2015, universities across South Africa have been rocked by student protests demanding a 0% increment on tuition fees against the longstanding call/demand for free education which had become radicalized (Langa, 2017). In historically white universities in particular, the demand to decolonize – amongst other things - the curriculum, language policies and racist institutional cultures/practices from their underlying vestiges of colonial and apartheid influence, had been a struggle waged vigorously by students at the start of the 2015 academic year as with the #RhodesMustFall movement at the University of Cape Town and the #OpenStellies student movement which emerged at Stellenbosch university shortly after

Whereas the #RMF and #OS movements (amongst other student movements in historically white universities) brought an urgency to the fact that “our universities are racist and colonial institutions that serve a very limited notion of the public” (Gillespie 2017: 2), it is the national #FeesMustFall movement that emerged in October 2015, sparked initially by the #WitsFeesMustFall student protest at Wits University (Pillay, 2015), but which would soon engulf the entire higher education sector under the national #FeesMustFall, which brought the higher education sector to a complete standstill (Habib, 2015).

At its peak, the #FeesMustFall movement shaped – in various ways – the national discussions around higher education transformation challenges in South Africa (Naidoo, 2015); although much of the literature on student protests during this period focused primarily on the issue of fees and funding challenges faced by students coming mostly from disadvantaged backgrounds (Naidoo, 2015). Moreover, throughout these protests there has been constant reporting of violent clashes between protesting students and private security/ SAPS working in collaboration with the managements of institutions of higher learning (Reinders; 2018).

While some scholars argue that “we must be frank about the fact that violence has, indeed, become a part of the repertoire of student politics” (Gillespie, 2017: 2), the crack down on student protests since 2015 can also be characterized by extreme security measures taken by some university managements, alongside the militarization of higher education institutions

in collaboration with the state (i.e. police, courts etc.), which also enable(d) alternative forms of violence and force against protesting students (Reinders, 2018: 1).

Although approaches to institutional governance and measures taken by universities to end student protests may vary from “moderate security increases to full scale militarization and security upgrades” (Reinders, 2018: 7), the violence within and outside the premises of some universities clearly resemble the implementation of what is known as a ‘state of exception’ as theorized by Giorgio Agamben (Agamben, 2005; 2008).

Under a ‘state of exception’, the executive authority (i.e. state/university managements etc.) is given powers to suspend the normative/legal framework and may potentially act in a manner that is unaccountable, violent and trumps on human/student rights similar to the conditions under Apartheid South Africa (Agamben, 1998; 2005).

Assessing the university’s response to student protests since 2015 as a matrix of the ‘state of exception’ is in relation to Giorgio Agamben’s theorization which further considers the dangers of the ‘state of exception’ - and the violent conditions which revolve around it - becoming the norm in contemporary democracies and institutions of higher learning more broadly (Agamben, 2005; 2008).

As will be shown through the below case study of #UPRising student movement established at the University of Pretoria (UP) in October 2015 during the national #FeesMustFall protests, but which would later evolve to the #AfrikaansMustFall movement in 2016 at UP - there are parallels that can be drawn between the atmosphere prevailing at the UP Hatfield campus (i.e. student protests and university management’s responses to these protests) between 2015-2017 which are similar to the violent conditions under Apartheid South Africa; and which cements UP responses to these protests - against the backdrop of its underlying historical, cultural and institutional context - as a matrix of the ‘state of exception’ (Agamben, 1998; 2005).

By redirecting the attention, conversation and ongoing debates around #FeesMustFall back to the university campus as the primary site of student protests, it is the contention of the researcher that analyzing UP’s response to these student movements (#UPRising and #AfrikaansMustFall), may provide a gateway into the broader debates, discussions - including prevailing attitudes, assumptions and myths - around the historical and cultural conditions underpinning historically white universities in general; historical and cultural conditions that

inform exaggerated responses to student protest in a historically Afrikaans university in particular – “institutions whose events tend to remain on the margin” (Nomvete, 2019: 76)

## **6.2 An overview of the University of Pretoria’s underlying historical, institutional and cultural challenges**

“[wo]man is essentially a storytelling animal...[s]he is not this essentially, but becomes through [t]his history, a teller of stories” (Alisdair McIntyre).

For McIntyre, human beings by their nature are storytelling beings; to move forward is to ask: ‘of what history or narrative does one find themselves a part?’ (McIntyre). According to the University of Pretoria’s (UP) official website, UP was established in 1908 with just 32 students and four professors stationed at a little house known as Kya Rosa (UP Website). In addition, one of primary missions of UP is “to produce socially impactful research to find solutions for the world most pressing issues” (UP website).

UP is also described as one of Africa’s top universities and is the largest contact university in South Africa today, with over 55 000 registered contact students at the start of 2017 (UP 2025 Strategic Plan). In addition, the institution also prides itself with offering what it considers as “broad support for its students to graduate on time and become responsible citizens who are fully prepared for life outside of the university” (UP 2025 Strategic Plan).

One interesting observation is how the university speaks of itself in historical context. According to UP’s online history archives:

“[UP] was born from a vision to create a space for quality education and for new ideas to flourish. Over the course of its existence, and through different phases of political power and social change, UP has been resilient in its commitment to academic quality. This has allowed us to establish a presence among the top 1,9% of universities worldwide” (UP Website, 2019).

The last paragraph on the history archive goes on to explain that:

“Our story at UP is as much about where we have come from as where we are heading. It is a story of ongoing positive development, dedication to excellence, and striving to reach our goals with zeal, passion and perseverance” (UP Website, 2019).

While this ‘story’ does well to reappraise UP as one of South Africa’s oldest higher education institution which has existed throughout different eras and political epochs (colonialism, apartheid, and democracy), it fails to give a proper account - even as a summary - of the

historical and cultural complexities underpinning the establishment of the University of Pretoria which shape in different ways the kind of institution UP strives to be today. In other words, it ignores the historical and cultural context which the university was founded upon, by setting the matter of its historical and cultural distinctness (i.e., an institution built off the bedrock of Afrikaner ambitions) as secondary to that of its establishment (i.e., an institution which has existed merely throughout time).

Through a careful consideration of the developments of South Africa's higher education landscape and university system, against the backdrop of the historical and cultural cleavages - the elevation of Dutch in particular -; the history of the Transvaal University College (TUC) compensates this shortcoming highlighted above, by illuminating the tensions (political, cultural) underpinning the TUC (1904-1909) which, as will be shown, shape the foundations of UP but which are completely ignored through UPs 'story'.

### ***6.2.1 Transvaal University College: language and cultural complexities in historically white universities***

As established in Chapter Two, the Transvaal University College (TUC) was formed in 1904 in response to the growing need to establish a university in the Transvaal and along the Witwatersrand (Johannesburg) following the discovery of gold (Wagenar: 2009). It was only in 1908 that the TUC in Johannesburg extended classes to Pretoria (which would later become a rival campus) offering qualifications in Education and Arts which proved to be in high demand amongst the Dutch community (Wagenaar: Strydom: 2013). Notwithstanding, the Anglo-Boer War (1899-1902) placed tensions on the complexities underpinning English and Afrikaner white cultural identities which – in the wake of its aftermath - extended to the university space/question (Strydom, 2013). These persistent struggles were informed by the power relationships, prejudices and contradictions underpinning colonial and Apartheid society (Anglo-Boer; white male dominated) (Sehoole, 2005; Brookes, 2008).

A critical struggle which underpins the developments of TUC (1904-1909) has been around the historical, cultural, and political role of language - the elevation of Dutch/Afrikaans in particular - and the failure of the TUC (1904-1909) to accommodate Dutch in assessments (Wagenaar: Strydom: 2013). The effects of these tensions resulted in a split of the TUC campus in 1909, forming two separate institutions divided along the lines of language and culture (Strydom, 2013).



Through this split, the TUC Johannesburg campus became the South African School of Mines of Mines (1910 - 1921) - the forerunner of Witwatersrand University (1922), and the TUC Pretoria campus became the Transvaal Universiteit Kollege (TUK, 1910 – 1929) - the forerunner of the University of Pretoria (1930). So, whereas UP equates 1908 as the date of its establishment (UP Website), it is the history of TUC (1904-1909) which illuminates some of the underlying historical challenges surrounding the development of UP - historical challenges which are ignored in UP's official story.

### **6.2.2 *UP under Apartheid South Africa: Extension of Universities Act 1959***

Whereas UP equates 1908 as the date of its establishment, its Afrikaner political thrust would be bolstered following the victory of the Apartheid National Party (1948) and the violence of apartheid laws on (higher) education which were introduced shortly after. Key amongst such legislation was the Extension of the Universities Act (1959) which polarized SA's higher education landscape along ethnic and racial line; and further criminalized the enrolment of black students into hitherto open (white) universities.

Another critical aspect of the Extension of Universities Act (1959) was that it also reinforced English-Afrikaans cultural/identity complexities in higher education institutions by designating universities for white English students only (such as Wits and UCT) and universities strictly for Afrikaans students such as UP - which since 1932 had already adopted Afrikaans as a medium of instruction and an institution exclusively for white Afrikaans speaking people (SAHO, 2017).

For non-white students, the Act made provision for the establishment of ethnic institutions such as University of Western Cape (UWC) for Colored students; Durbanville University for Indian Students, and Turfloop for Sotho/Pedi, Ngoye University for Zulu students etc.

As a result, the apartheid regime introduced extreme violence in the form of racist laws (i.e., Extension of Universities Act 1959) aimed at placing Black citizens in a permanent state of inferiority in relation to the white-power structure existing in South Africa at the time (Agamben, 1998: 2005). In the case of historically Afrikaans universities specifically, this also meant upholding racist underpinnings and policies informed by the apartheid state and targeted violence being the approach of the apartheid regime (Agamben, 1998: 2005).

For instance, it was not until 1976 - through the broader organization of the South African Students Movement (SASM) - that black learners across high schools in Soweto mobilized against the violent imposition of Afrikaans as a medium of instruction and which subsequently

lead to the 1976 Soweto Uprising. The violent response to the Soweto Uprising by the apartheid police (firing live ammunition, deaths, arrests, torture, violation of human rights etc.) embodied the violence underpinning the apartheid government – a state of exception’ (Agamben, 2005)

Amongst many aspects, the support that historically Afrikaans universities (including UP) gave to the apartheid regime also had major implications on their academic and governance cultures which could be described, amongst other elements, as “strongly authoritarian” (Bunting, 2016: 40-44). In such environments, “as a result of its unique institutional culture and governance style, open protests by students are not countenanced, and are often violently crushed” (Jansen, 2001: 4).

This above context helps this chapter to correctly place the University of Pretoria within its broader historical and socio-political context as an institution underpinned by Afrikaner ambitions and alongside the Apartheid State and its ‘exceptional’ character. In other words, whereas UP’s official ‘story’ in the beginning downplays its colonial and historic context, the history of TUC (1904-1909) - against the above historical, cultural and political developments - help expose the embodiment of colonial and Apartheid expansion which underpins the University of Pretoria - a historically white Afrikaans university

### **6.3 UP in democratic context:**

In 1994, the new democratic government repealed several apartheid laws, such as the Higher Education Act 1923 and the Universities Amendment Act (1983), which paved the way for a new Higher Education Act (1997) to be established. The HE Act (1997) would be used by stakeholders to guide the higher education sector of South Africa in more democratic ways, while simultaneously putting measures in place to undo some of the past racial injustices.

As a result, the racial demographics of UP’s student populace would begin to change over time from an all exclusively white Afrikaans institution to a multi-racial multi-national university community. With this change in demographic profile, the university’s language policy would also gradually shift from a one language policy which catered only for Afrikaans students, to a bilingual language policy in 1994 - with Afrikaans classes running parallel alongside English classes (SAHO, 2016).

In addition, as part of the transformation process following the restructuring of higher education in the early 2000s (Jansen, 2001), UP incorporated now defunct Vista university Mamelodi campus (historically reserved for Black students) and was meant to introduce

Sepedi as a third language of communication. However, it is worth noting that UP continued to utilize only English and Afrikaans which, for the most part, represent(ed) “the cultural system of [UP] in terms of signage, statues; and residence traditions remaining largely Afrikaans to no adaption/inclusion of other cultural systems” (SA history online, 2015).

As a result of the continued existence of a dominant Afrikaans cultural system in some institutions of higher learning, one thing that has been present has been racial tensions amongst students and staff which have continued to subject non-Afrikaans people to experiences of alienation and racism. More critically, the existence of these challenges speaks to the slow pace of transformation in South African historically white universities. For instance:

- In 2007, four Afrikaans students at the University of Free State (a historically white Afrikaans university), forced the black cleaning staff to perform initiation rights and drink a mixture which included the student’s urine at one of the university’s Afrikaans dominated residences.
- In 2012, two Afrikaans female students at the University of Pretoria were involved in the controversial #BlackFace incident which had the students dress up as black domestic workers and performing ‘racial stereotypes’ at one of the university’s Afrikaans dominated residences. At the same institution, in 2013, an Afrikaans speaking philosophy lecturer quit after publishing an article claiming that ‘raping babies is a black phenomenon’.

While these racist accounts remain the acts of individual students/staff members, it can also be argued that that the most extreme forms of racial violence across higher education institutions continue to unfold in the corridors of historically white (Afrikaans) universities given the different historical, cultural and institutional development of higher education institutions in South Africa. In these historically white (Afrikaans) universities, the student and staff population remain to a large extent white, which students have argued - as with the #RMF, #OS and #UPRising/#AfrikaansMustFall – enable conditions that discriminate against - and violate - the rights and experiences of (black) students.

In the case of the University of Pretoria, the emergence the #AntiRacismForum movement which was formed in 2014 as “a collective of staff and students at UP mobilizing towards decolonizing the university” (@AntiRacismForum, 2014); and the #TuksSoWhite movement which emerged in April 2015, aimed at “highlighting the experiences of [Afrikaans] cultural

supremacy and marginalization [at UP]” (SAHO, 2016) provide further insight into some of the deeper underlying transformation challenges at UP.

Moreover, an understanding of these challenges may provide more clarity and broader insight into the literature on students protest which rocked South African higher education since 2015, whilst opening new suggestions towards resolving some of the ongoing challenges and efforts at reforming South African higher education governance more broadly.

#### **6.4 #UPRising and #AfrikaansMustFall: student politics at UP**

In the first half of 2015, the country’s higher education sector was shaken by critical events in the history of South African student movements and protests post 1994. This included – amongst other student movements - the #RhodesMustFall movement at UCT which called for the decolonization of institutions of higher learning as well as the #OpenStellies movement which called for the abolishment of Afrikaans as a primary medium of tuition at Stellenbosch University.

Unlike the #RMF student movement which questioned the many vestiges of British colonial influence (i.e. Rhodes) by raising pertinent issues of transformation around symbols, curriculum, student and staff demographics as well as a racist white (English) institutional culture which permeated the corridors of UCT; the #OS movement which emerged at the Stellenbosch University was focused on the influence of Apartheid Afrikaner nationalism, the role of language and culture - the use of Afrikaans in particular - as a means to exclude students at SU against the backdrop of the historical, cultural and institutional conditions present at SU.

However, starting at Wits at the beginning of the second half of 2015 when students took to the streets in protest against a 10.5% proposed tuition fee hike using the hashtag #WitsfeesMustFall, the #WitsFeesMustFall protest soon spread to all other higher education institutions brought together under the hashtag #FeesMustFall (#FMF). At its peak, the #FMF student movement radicalized the longstanding struggle for free education which had long been waged by protesting students in historically black institutions such as University of Limpopo, Tshwane University of Technology and Fort Hare University to name a few.

Notwithstanding, the #FMF movement culminated in thousands of students across the higher education sector marching on to the country’s Union Buildings in Pretoria in demand of free education, which would result in the President of the Republic of South Africa, Pres Jacob Zuma, announcing a zero percent increment in tuition fees for the 2016 academic year. The

President also put in place a free education commission - chaired by retired Judge Heher - which would investigate the “feasibility of free higher education in South Africa” (Fees Commission, 2015).

The announcement of a 0% increment in tuition fees across the board resulted in several institutions taking different standpoints which saw some institutions return to their usual academic activities while other institutions continued to protest for free education and other demands at their universities (Nomvete, 2019). However, violent clashes between students and the South African Police Service were also reported across Pretoria as the SAPS disbursed the crowd from the lawns of the Union Buildings.

According to Kamga (2018): “unable to provide students with a satisfactory solution to their demands, the state undertook to use emergency powers to retaliate. Many of them were arrested and jailed and many others were injured as a result of the police use of teargas, rubber bullets and their ignorance of human rights protection and any legal mechanisms in place” (Kamga, 2018: 98). In that situation, the rule of man preceded that of law in that the state was now responding to students as bare life, that is – according to Agamben (2005), life that can be killed without constituting a crime. This is perhaps the case why no investigation on police brutality was opened nor were any authorities held accountable for the injuries sustained from rubber bullets, stun grenades, teargas etc. at the hands of the SAPS (PSIRA, 2017)

Overall, the #RMF, #OS and #FMF movements - collectively - brought to life a series of debates around (historically white) universities in South Africa and presented a clear demand by students to decolonize higher education institutions. In addition, the #FMF protests – and the violence that ensued thereafter – “unveiled the impossibility of public authorities and universities reconciling (or their lack of will to reconcile) the use of emergency powers with freedoms of expression, movement, assembly, demonstration, picket and petition guaranteed by the constitution of student rights, that mirror the provisions of section 17 of the constitution of South Africa” (Kamga, 2018: 99).

However, the literature on student protests since 2015 has for the most part centered the discussions and debates around curriculum, language and fees, and has neglected to question the other underlying historical and cultural patterns which continue to inform the daily operations of some universities today. In addition, whereas the issue of fees and funding challenges brought about by the national #FeesMustFall protests cut across all institutions of

higher learning, the #FMF movement itself was also unique to each institution where issues raised by students went beyond just fees.

The case study of the #UPrising (2015) and #AfrikaansMustFall (2016) student movements at UP shows that, although the dawn of democracy brought an end to apartheid racist laws, policies and practices in higher education South Africa, the relationship(s) between democracy, access and transformation are not enough to overcome socio-economic and socio-political patterns of exclusion. As a result, the underlying historical, cultural conditions underpinning higher education universities across South Africa continued to haunt student dreams of liberated knowledge spaces. Students argued - as with the #RMF, #OS and #UPrising/#AfrikaansMustFall – these conditions continue to discriminate against and violate the rights of (black) students in post-apartheid historically white universities today.

Analyzing UP's response to the above student movements, which in some instances involved "various levels of violence against students, including the militarization of campus" (Nomvete, 2019: 7), may also help shape understanding around the underlying historical, cultural, and institutional approaches to governance in historically white Afrikaans universities which inform exaggerated responses to student protests. To develop this further, it is important to place #UPrising student movement within the broader discussion around the #FeesMustFall.

### **6.5 #FeesMustFall and the #UPrising student movement:**

Students at the University of Pretoria (UP) - a historically white Afrikaans institution – were dismayed by the failure by the UP Student Representative Council (SRC) to have the dramatic tuition fee increments reduced in September 2015. The broader environment of growing student protest, which had begun to spread across several other universities, provided political conditions that led to the emergence of #UPrising student movement at UP in October 2015 (Nomvete, 2019).

Unlike the 10,5 % fee hike which sparked the #WitsFeesMustFall protests at Wits University on 14 October 2015 (Pillay, 2016), in September 2015, student protests were building momentum at UP where proposed tuition fee hikes had been set as follows: R5000 – R7 500 (50% increment) for South African Students; R5 000 – R20 000 (300% increment) for students from Southern African Developing Countries (SADC); and R5 000 – R40 000 (700% increment) for international students outside of the SADC region (SAHO, ).

Rejecting UP's proposed fee hikes, the UP SRC released an official statement earlier on in September 2015, making it clear that "the UP SRC does not support the proposed fee

increments at UP and will be demanding a complete review from the university management". The UP SRC also released a poster on their official Facebook and Twitter accounts which called for a mass meeting for UP students (UP SRC Facebook, 2015). According to SA history online, the SRC Mass meeting was convened at the UP Amphitheatre and was attended by a few students. A petition was also circulated at the mass meeting which would later be handed as a memorandum to the UP-executive management by the SRC through institutional structures (SAHO, 2016)

On 28 September 2015, UP released an official communique to students and staff acknowledging the issues raised by the SRC but maintained its position on the proposed tuition fee hike (SAHO, 2016). The SRC subsequently released its own statement later, rejecting UP's response and called on the student body for a protest on 30 September 2015 under the umbrella of #DownWithFinancialXenophobia (Nomvete, 2019:).

According to Ukwandu (2017), the '#DownWithFinancialXenophobia' hashtag was in solidarity with international students at UP who were affected the most by the proposed tuition fee hikes, as well as their vulnerability to the renewed xenophobic/Afrophobic attacks on African nationals witnessed in parts of South Africa in late 2015. Notwithstanding, the protests on 30 September 2015 did not gain much attention at UP and was attended by no more than 100 students (Perdeby, 2015).

According to Nomvete (2019: 79), "the low student turnout mirrored student's political apathy and an outright apolitical culture at [UP]". Another reason for the low turnout is posited by Rasebopye (cited in Nomvete 2019: 79) who argues that the low turnout was "evidence of either a lack of political awareness by students or weak mobilisation strategies (social media, door-to-door visits and poor timing) by the [UP] SRC".

Additionally, it is found that "the university had also galvanised its internal security and employed surveillance tactics that included security personnel in casual wear wearing earpieces and observing from a distance" (Perdeby, 2015). Such tactics sought to instil fear and discourage students from joining the march (Reinders, 2018; Nomvete, 2019).

Notwithstanding, for those few students who attended the protest on the 30<sup>th</sup> of September 2015, the failure of the Vice-Chancellor and Principal, Prof Cheryl de la Rey, to come out and receive the memorandum by students would begin to cast a shadow of doubt on the SRC's ability to champion the student issues at UP effectively. According to Nomvete (2019): "UP SRC had reached its institutional-driven limits. It was also inexperienced in organising,

mobilising and sustaining protests given the short student activism history after deracialization of UP as well as class, race, gender and political dynamic”.

As a result, the #DownWithFinancialXenophobia protests gradually fell apart as there was no consensus from the UP SRC on what to do anymore. This would also provide fertile ground for alternative student movements to form at UP such as the #UPRising student movement which emerged shortly after in October 2015.

By the time the #WitsFeesMustFall sparked nation-wide debate on 14 October 2015, a series of secret meetings and talks amongst various student activist at UP began to take place (Menziwa, 2016). These students included undergraduate and postgraduate students ranging from the ages of 21 – 27 (Nomvete, 2019). Some of the students were from student political organizations such as SASCO and the EFFSC, however they were united behind a need to work together for greater impact considering the failures of the SRCs:

“Now we were just talking but it was made clear from the word go that individuals were not there in the capacity of their organisations, they were there as individuals who are concerned and believe that something needs to be done but there is an understanding that this something that needs to be done has to be done in a collaborative way ...” (Menziwa, 2016)

From the meeting the students agreed to tackle a range of issues which included the abolishment of Afrikaans classes and Afrikaans cultural practices at UP, insourcing of workers and the overall fees and funding challenges (tuition and residence fees, meal allowances, food prices etc.) which needed urgent attention at UP. In this sense, the initial issue of tuition fee increments raised in September by the UP SRC was treated as part of a much bigger challenge confronting students at UP.

The meeting further deliberated on the approach and strategy of the movement which included distributing posters, door-to-door visits, engaging students on busses, libraries, as well as the name of the movement - #UPRising. Whereas the movement at UP does not name itself in a #MustFall rhetoric (e.g., #UPFeesMustFall), part of its existence fundamentally spoke to the cost of higher education - as with the national focus of Fees and the funding challenges of students across the country - and thus feeding into the #FeesMustFall movement more nationally.

Whereas different names were initially thrown across such as the #GrassRootsMovement and the #TuksFeesMustFall movement amongst other names (Nomvete, 2019), it is found that on



the side of UP students, there was a deliberate effort behind naming the movement #UPRising: “It was an (UP)rising at the University of Pretoria. An (UP)rising, similar to the Soweto Uprising in 1976, against language imposition and to broaden access. So, the name was to draw links with the 1976 Soweto uprising and the Apartheid practices which still exist at UP today”.

In other words, the students understood the peculiar nature of the University of Pretoria as a historically white Afrikaans institution, and the demand to have Afrikaans abolished from the university directed the movement towards the name #UPRising. In addition, the UP rising student leaders understood the need for collaborative effort and were therefore deliberate to present “a collective cause and movement of students that is not inclined to any political party but inclined to the cause of students” (SAHO).

In addition, to abate the political tensions that could possibly arise from various student political organizations, the #UPrising members set up the #UPRising Central Committee (15 members in total) which comprised of five members from SASCO; five members from EFFSC; and five members from the ordinary students – some of which were UP SRC members who were now acting in their personal capacities given the internal challenges and limitation of the UP SRC with UP management.

Through the effective use of social media platforms such as twitter and Facebook, the #UPRising Central Committee “organized, recruited, and mobilised students against [UP’s] institutional and residence cultures, language policy, curriculum, residence, food prices and the tuition fees”. The use of social media was effective as #UPRising was trending on twitter over the weekend leading to the mass meeting they had called for Wednesday 21 October 2015.

On Tuesday evening 20 October 2015 (i.e., the evening before the #UPRising mass meeting), a WhatsApp broadcast message went around where it was rumored that the university management had instructed the UP security to lock the gates of the university’s Hatfield campus during the night. Although the authenticity of the message could not be verified as thousands of people were talking about #UPRising across various social media platforms, the WhatsApp broadcast text did result in hundreds of students trickling to the university throughout the night, arguing that the institution would rather lock them inside with their debt.

In the early hours of Wednesday 21 October 2015, and ahead of the #UPRising mass meeting, hundreds of students had begun to gather around the Hatfield Student Centre chanting various

political songs such as “asinamali” (we don’t have money) ahead of the mass meeting (Perdeby, 2015). Around 7am, ahead of the 07:30 lectures, UP sent out bulk text messages to students and staff announcing that “aall academic activities and support services of the University of Pretoria are suspended for Wednesday 21 October 2015 to allow for peaceful engagement on key issues affecting the institution” (Perderby, 2015).

During the #UPrising mass meeting, student discovered that UP management had obtained a secret court interdict through the Pretoria High Court (Madlingozi, 2016). The interdict was against “protesting students displaying any disruptive behavior” (UP #FMF court interdict, 2015). In addition, the court interdict would enable the South African Police Services to arrest any student who ‘misbehaved’. Although the #UPRising had called for - and were still engaged in - a mass meeting, UP still argued in its court application papers that “student protests have turned into riots accompanied by unlawful and unruly behaviour by participants that threaten the safety of students, staff and university property” (UP #FMF court interdict, 2015).

However, when student protests did eventually unfold by midday, the students marched around the UP Hatfield campus peacefully before spilling into the streets of Hatfield precinct, disturbing traffic and mobilizing society around their student issues (EWN, 2015). In addition, while protesting students were out in Hatfield, the university management released another bulk of messages to students and staff announcing that the university would be closed for the rest of the week, and further instructing students to evacuate campus and UP premises immediately (SAHO, 2016)

Meanwhile, student protest continued in and around the university for the rest of the day until students retreated to rest for the next day of continued protest (Perdeby, 2015). The #UPrising Central Committee also convened a meeting throughout Wednesday evening (in what would become recurring daily meetings) to assess the events of the day – including the challenges, political differences and so forth – and plan ahead of the next day.

By Thursday 22 October 2015, almost all higher education institutions were effectively shut down under the banner of #FeesMustFall movement nationally, which prompted the President of the Republic of South Africa, Pres Jacob Zuma, to call for an urgent meeting with university Vice-Chancellors and SRC Presidents of all public universities on Friday, 23 October 2015 (Pretoria News, 2015). Despite this arrangement, student protests continued throughout Thursday in what was now a countrywide systematic shutdown of the higher education sector.

Following another day of protests, UP students met at the amphitheatre on Thursday evening to discuss the anticipated meeting between President Zuma, University Vice Chancellors and SRCs. It was resolved at the amphitheatre that UP students would march to the Union Buildings the next day, Friday 23 October, to put more pressure on the outcomes of the meeting and to reaffirm the demand for 0% against growing calls for free education encapsulated by the #FeesMustFall movement.

It was on Friday 23 October 2015 when thousands of students from higher education institutions across the country marched to the Union Buildings in Pretoria - in what would become one of South Africa's biggest student protest since the 1976 Soweto Uprising - ahead of the meeting scheduled between the President, University VCs and SRC Presidents. By midday UP students had joined thousands of other students gathered at the lawns of the Union of Buildings in Pretoria where the meeting was set to take place.

It was also rumoured that President Jacob Zuma would come out from the Union Buildings to address the crowd of students at 3pm. However, shortly before 3pm the President announced - through a media press briefing from inside the Union Buildings - a 0% increment in tuition and residence fees for 2016 (SAHO). Shortly after the President's media press briefing, EWN reports that the SAPS disbursed students from the Union Buildings which would also result in violence clashes between students and the SAPS Public Order Policing Unit (EWN, 2015).

As reported, part of the tension and retaliation by students was that they/we were unaware of the Presidents press briefing which was happening on national television as they/we had been gathered at the Union buildings in an unfolding event (EWN, 2015). However, with the president's announcement of a 0% increment in tuition fees for 2016, "many students returned to their usual academic schedules, while many others continued to protest [at their respective institutions] for demands that were not met or addressed" (SAHO, 2016).

Moreover, the disjuncture caused by some institutions continuing to protest whilst other institutions resumed their academic calendar would also be a contributing factor to the downward trend of the #FeesMustFall movement nationally. Back at the University of Pretoria, the weekend of 24 -25 October 2015 provided ample ground for the #UPrising Central Committee to meet and to assess the developments following the President's announcement. Using their social media account, the #UPrising Central Committee resolved to call for another mass meeting on 26 October 2015 where students would collectively decide on the direction of the movement.

On Monday 26 October, UP sent out bulk text messages announcing the resumption of the academic calendar, which it had been halted since Wednesday 21 October. In addition, UP security personnel distributed thousands of letters to students at every entrance of the university. The letter highlighted that “there will be no increases in all undergraduate, postgraduate and international students and there would also be no increase in residence accommodation fees, meal fees and any initial payments” (UP Communique, 2015).

Whereas this communique played a role in demobilizing the number of protesting students at UP, a considerable number of other students – no more than 1000 - still met at the amphitheatre ahead of the mass meeting called by #UPRising to consider the developments that had unfolded since students last met collectively the previous Friday. At the amphitheatre, these students voted to continue with the protest, referring to the outstanding demands of the #UPrising memorandum which spoke internally to the challenges at UP

As a result, the students initiated a shutdown of UP on Monday 26 October 2015 by strategically occupying the Client Service Centre (CSC) building demanding that the VC, Prof Cheryl de la Rey, come down from the administrative building and address the outstanding concerns of students - in particular the language policy and Afrikaans cultural system which existed at UP. It was after 8 hours of students occupying the CSC building, that the UP Vice-Chancellor and executive management arrived at the CSC - accompanied by heavy private security - to receive the students memorandum (Perdeby, 2015).

Amongst the demands on memorandum (17 in total) students first demanded Free Education as a matter of principle (@UPRising,2015). Students further demanded a 0% increment of fees (tuition, residences, food prices) at UP in line with the President’s announcement and that #UP should make funds available for needy students as a turning point towards the achievement of #FreeEducation (@UPRising,2015).

The students also demanded Afrikaans classes, alongside Afrikaans culture and practices, to be scrapped at UP (@UPRising,2015). The demand to scrap Afrikaans as a medium of instruction was further supported by an internal survey conducted by UP which indicated that only “13% of the student body preferred to be taught in Afrikaans...which cost the university over R100 million annually to facilitate” (UP SRC, 2015). Students, including the SRC, demanded that this money be used towards clearing students’ debt and assisting financially needy students (UP SRC, 2015).

The memorandum also demanded the end to outsourcing at UP (a theme across student movements including the #RMF and #OS movements) and the immediate insourcing of workers - which included the UP security, cleaners and gardening/facilities workers (@UPRising,2015). In addition, given some of the structural weaknesses of the UP SRC, the memorandum also included a demand for “a seat to be allocated to the SRC on the ‘Stand-in Committee’ of UPs council to give the student voice at UP more power in executive decision making” (@UPRising,2015).

The occupation ended with the VC ratifying the last demand, which called upon her to reassure students publicly that no student would be victimized as a result of – or for joining the #UPRising protest at UP amongst other things (@UPRising,2015). In addition, the director of UP’s Department of Security Services, Colin Fouche, thanked the #UPRising students for their “high morale and well-disciplined behaviour” (Fouche, 2015).

As students at UP returned to class the next day, the university made R20 million available in the immediate to assist financially needy students and topped up a student’s meal allowances to the value of R 4 million (Perdeby, 2016). Meetings would also be scheduled between #UPRising Central Committee and the university executive management to ensure that all the demands of the #UPRising memorandum were implemented. With other issues such as outsourcing and language, the university also committed to set up a formal structure to facilitate this process - this is important as it gives us insight into protest at the start of 2016.

Moreover, whereas the issue of fees dominated the second half of 2015, it is important to highlight that the internal critique of the post-colonial and post-apartheid university which began with the #RMF and #OS movements in the earlier half of 2015 was very much alive by the time the #FMF wave of protests began to take form through the #UPrising at UP.

In sum, the overall student protests at UP in 2015 were peaceful in their nature. The #UPRising protests were resolved within 4 days following the national march to the Union Building wherein the president announced 0% increment across the board; and the following Monday (26 October 2015) when the VC of UP, Prof Cheryl de la Rey, signed the memorandum of #UPrising agreeing to implement all points on the memorandum.

### **6.5.1 *From #UPRising to #AfrikaansMustFall: When the University becomes a matrix of the state of exception***

It was not until January 2016, when the institution opened for 2016 registration, that the University of Pretoria would experience another outbreak of protest. This time around, the outsourced workers at UP downed their tools in protest led by various worker unions and some student political organizations (Perdeby, 2016). The argument raised by the protestors was that the institution had not fulfilled its promises to immediately insource workers as agreed with the #UPRising memorandum in 2015 (EFFSC UP, 2016).

In addition, it is also alleged that the university management had told workers that they were “first discussing student fees before they would deal with a commitment to insourcing” (SAHO, 2019). According to Madlingozi and de Beer (2016) this resulted in “a strong sense that the university management was merely playing delaying tactics” (Madlingozi, 2016). As a result, workers forged ahead with protests which forced UP to suspend its physical registration week and shifting it online (Perdeby, 2016).

UP also hired excessive private security and obtained a court interdict barring the workers – and some student leaders - from protesting (Kopper, 2016; Perdeby, 2016). It is also reported that “UP utilized barbed wire to prevent workers from accessing the administration building” (Kopper, 2016: 7). This was the first of its kind where the institution used barbed wire to keep protests at bay (Kopper, 2016); and the first time the university openly obtained an interdict following a secret interdict it obtained during the #UPRising protests in 2015 (Madlingozi, 2016).

According to Grassow and Le Bruyns (2017), many other higher education institutions sought court interdicts to counteract protests. The court interdict played a crucial role in that it legally allowed UP to bring the SAPS on to the university campus: “the interdicts exposed the apparent contradiction in university management’s claimed commitment to negotiations, while simultaneously using the interdicts as a pretext to justify calling the police and private security officials to stop protest” (Langa, 2017: 9). In support of Langa’s claim, Grassow and Le Bruyns further explain that “the willingness of universities to do so ‘speaks to the institution’s initial intent to strong-arm and threaten students and staff to desist from protesting, as well as denying them full citizenship of the university” (2017:5)

This was also the sentiments shared by UP academic staff who had volunteered as mediators, Prof Madlingozi and Prof de Beer, who argued that the interdict raised walls instead of inviting

conversation: “One of the matters that hinder trust is the interdict that the University attained, and now a second interdict. We would like to request the University to consider withdrawing the interdicts in order for the conversation to continue in good faith since neither workers nor students are interested in violent protests.”

These examples point to the fact that many universities prioritized mechanism such as interdicts to enable the SAPS to be brought onto campuses already armed with heavy private security. Notwithstanding, the protests at UP resulted in an outsourcing commission being established – a process which was meant to have concluded in 2015 - which would lead to the insourcing process of workers at UP through a signed memorandum of agreement between workers and the VC on 20 January 2016.

Amongst other aspects, the agreements were that workers would be insourced and would receive salary top ups which would gradually increase to R10 000pm over a period of three years. This also meant that workers – and their children - could now be eligible to study at UP for free and could also now use the institutions health facilities which they were previously barred from as outsourced employees.

### **6.5.2 #AfrikaansMustFall**

Notwithstanding, on 18 February 2016, another protest would break out at UP. This time around, the UP management (through the office of the vice Principal for Student and Residence Affairs, Prof Themba Mosia) had a meeting scheduled with #UPRising Central Committee to discuss the university’s language policy as part of the 2015 #UPRising memorandum agreements. The meeting was initially meant to be held at the administration building (which houses the offices of the UP executive), but the venue was subsequently moved to the Sanlam Auditorium where the UP SRC was receiving a donation for a fundraising event to assist financially needy students

However, when students were leaving the SRC fundraising event - and to make way for the language policy meeting that was now scheduled to follow - students were antagonized by an army of Afrikaans students mobilized by the Afriforum Jeug (an Afrikaans student organization) which claimed to be defending its right to (Afrikaans) mother tongue education. The students - mobilized by Afriforum and around language - had gathered outside the Sanlam Auditorium demanding to also form part of the same meeting with UP management and #UPRising.

The commotion resulted in rising tension amongst students who were leaving the Sanlam auditorium and having to find their way through the Afrikaans crowd while occasionally being hurled insults and in some instances physical assault (Perdeby, 2016). According to Graham (2016) the incidents outside Sanlam Auditorium exposed black students to protest which would be encapsulated and radicalized firmly through the #AfrikaansMustFall hashtag.

The #AfrikaansMustFall had initially to gained traction at the start of 2016 when some members of the EFFSC had threatened to disrupt Afrikaans lectures if UP did not scrap Afrikaans immediately as it had agreed: “We will give them two weeks, and if no progress is made, we are going ahead with the disruption of Afrikaans lectures... And we will remove Afrikaans signage on campus if this task team fails” (EFFSC UP Chairperson, Mahlobongwane, 2016).

In a joint statement released by SASCO UP, ANCYL UP, and EFFSC UP, they argued that “Afrikaans at UP was not economically viable, disadvantaged the majority, and it went against the project of social cohesion as it created two universities in one” (UP Progressive forces Joint statement, 2016). More than just a language of tuition, the statement added that “[Afrikaans at UP] continues to be used like in the past ... it is used to exclude and create some sort of superiority ... [and] remind people of how it was used to oppress”.

According to a statement by Anna-Retha Bouwer, UP’s spokesperson, “the university had put in place a task team to review the current language policy...the task team concluded the requested review in December 2015 and submitted its report to the University Executive and Senate on 26 and 27 January 2016, respectively. At the Senate meeting on 27 January there was consensus in support of the key findings and recommendations of the task team” Anna-Retha Bouwer (UP spokesperson).

Thus, the meeting scheduled between UP executive and #UPRising Central Committee on the 18 of February was part of an ongoing process by the task team that was set up to review UP’s language policy (Perdeby, 2016). The Task Team had also prepared a report on the institution’s language policy which included using English as the primary medium of instruction for all classes and using Afrikaans and Sepedi to provide additional support to students in tutorials and practical (SAHO, 2016).

However, by late afternoon on 18 February, UP was an arena to horrific events which involved clashes between white Afrikaans students and black students over the role of language - the scraping of Afrikaans in particular – which resulted in the meeting being canceled. UP also



obtained a court interdict immediately against protesting students. According to Langa (2017: 9) “these interdicts exposed the apparent contradiction in [UP’s] claimed commitment to negotiations, while simultaneously using the interdicts as a pretext to justify calling the police and private security officials to stop protest”.

UP brought also brought in private security armed with rubber bullets which further antagonized protesting students and would often result in violent clashes: “It was at the entrance of the HSB where several violent encounters ensued between the protesting students and private security guards. Pro-Afrikaans protesters released pepper spray on those protesting for the change of UP’s language policy while protesting students threw rubbish at security guards and the pro-Afrikaans group.” (SAHO, 2016)

On 19 February 2016, UP sent out bulk text messages to students and staff announcing that the campus would be closed and would later physically lock all the university’s gates – including turnstiles where students would ordinarily access. This infuriated students who had already made their way to campus – some traveling from far – and who could not be allowed onto their own university.

Some students gathered at the main gate of UP in protests and demanded the UP management to suspend the leaders of Afriforum who were behind the mobilization which led to violent protest the previous day. However, the UP gates remained closed and within a few hours the university – through the application of its court interdict - called in the Brooklyn SAPS to disburse the crowd of about 200 students (Jacaranda News, 2016).

According to Reinders (2018) through the use of interdicts by universities effectively granted them criminal jurisdiction over their students. This was the case at UP when the police arrived and immediately began disbursing students without warning, firing stun grenades, teargas, rubber bullets, and further arresting 27 students - some of which had nothing to do with the protests but were merely passing by (Graham, 2016). This was also the first-time physical clashes would unfold between UP students and the SAPS since violence had erupted across some universities in 2015.

When issues overflow, and tensions rise from students whose challenges are ignored, they often resort to alternative forms of engagement – including violence – in order to be heard. This was the case at Wits university where the unnecessary use of force by the SAPS resulted in students retaliating with violence both on and off campus (Malabela, 2017). Langa (2017: 8) further notes that:

“Although the violence engulfing the university protests cannot be blamed solely on the police, the dominant feeling among key informants was that the police too easily resorted to shooting protesters with rubber bullets and stun grenades without any attempt at negotiating or engaging with them”.

It was also rumored that the university had handed over a list of names to the SAPS (SAHO, 2016). This caused many student leaders to go into hiding as they feared they would be arrested; and in some cases, students were fetched from their homes by the SAPS: “Police took Naledi Chirwa from her bed, next to her infant child at 5am in the morning to terrify her so she never dares question the world” (@Mbuyiseni Nlodzi tweet, 2016)

The arrested students – 27 in total - were kept at the Brooklyn police station where they were bailed out by the UP SRC to the amount of R14 500 (Pretoria News, 2106). These students were also instructed to appear at the Pretoria magistrate court on Monday 22 February 2016 for charges ranging from contempt of court, public violence, and malicious damage to property (Pretoria News, 2106).

All these measures are evidence of university managements in collaboration with the state taking extreme steps in order to suppress student protests: “there appears to be a clear agenda by universities to do what they can to prevent protests, except for entering into open engagement” (Reinders, 2018: 76). Moreover, these approaches do not look at the core issues of each protest, but instead use force to try resolve all the issues: “universities have shown the tendency to treat their students as enemies” (Reinders, 2018: 76).

### **6.5.3 #UPBlackMonday**

However, on Monday 22 February when classes were meant to resume at UP, students continued to call for a protest under the banner #UPBlackMonday which was in solidarity with the 27 black students who were arrested (@UPRising, 2016). The protesting students proceeded to shut down the Hatfield campus in the morning and mobilized some students towards the Pretoria magistrate court to support the 27 UP students who were appearing later that afternoon (Perdeby, 2016)

Upon arrival at the Pretoria magistrate court, the court case was postponed to 07 April 2016, however three students who were part of the 27 had their charges dropped due to lack of state evidence (Pretoria News, 2016). This would mark the start of a seven-month long process to

get the charges of what would be known as the #Tuks24 dropped; some of which included contravening UPs court interdict, public violence, and damage to property (SAHO, 2016).

When students who had attended the court proceedings made their way back to UP's Hatfield campus for a meet and debrief at the Amphitheatre, Perdeby reports that a group of Afrikaans students – again mobilized by the Afriforum Jeug –formed a human chain blocking the pathway that students were on towards the Amphitheatre (Perdeby, 2016). A racial standoff ensued resulting in physical clashes between black and white Afrikaans students (Jakaranda news, 2016). Again, UP dispatched Private security to diffuse the situation with the backup of the SAPS - which would also station a police hippo on the Hatfield campus for the coming weeks (Perdeby, 2016).

After some time, the students who had come back from court regrouped at the amphitheater where a new memorandum was drafted which would be handed over to the University (Perdeby, 2016; SAHO, 2016). According to the opening lines of the memorandum that was drafted: “this [was] a memorandum that explicitly state[d] how Afrikaans and all cultures associated with it must be banned with the University of Pretoria and other structures that are affiliated with the University” (UPRising Facebook memorandum, 2016). The memorandum also demanded “the complete abolition of residential and Day House cultures as we believe that they are the biggest perpetrators of the Afrikaans culture that oppressed Black South Africans previously and continue to oppress Black people in the University of Pretoria” (UPRising Facebook memorandum, 2016).

Additional demands were also put forward which included that “there should be no victimisation of students who participated in the Afrikaans must fall protest”; “All form of communication from the University should be purely in English”; “demand that the university abolish the English and Afrikaans bilingual requirement in ALL its employment posts” (UPRising Facebook memorandum, 2016).

On Monday evening, 22 February 2016, UP released communique to students stating that: “the executive of the university has expressed deep concern about the rolling set of demands being made by protesters, which is compromising the good governance and management of the University” (UP statement, 2016). As a result, the university also introduced additional security measures in the wake of student protests: “we have implemented additional security measures and we continue to work with the police services to maintain order” (UP statement, 2016).

The communique further announced that the institution would resume classes the following week where there would be a 'zero tolerance' policy towards protesting students put in place: "all students and staff have been informed that when the campuses re-open, the University will be enforcing an approach of zero tolerance of any disruptive and unlawful behaviour. There is an interdict in place which precludes violence of any sort on our campuses, and we will be enforcing it strictly, with the assistance of the South African Police Services" (UP statement, 2016).

It is also found that UP implemented disciplinary measures against some protesting students which resulted in the suspension of seven students - six from the EFFSC and one SASCO member: "We are implementing University disciplinary processes and will be reporting any cases of violent and unlawful behaviour to the police for possible prosecution" (UP statement, 2016). The use of suspension pending disciplinary hearings was "a more indirect manner by the university to effectively sanction students without trial" (Brand, 2017: 4).

Moreover, the suspensions banned students from all UP facilities including their residences for those staying in university accommodation. This displacement of accommodation was further used to keep students longer in prison as their proof of accommodation could no longer be verified by the university (Chauke, 2017). This further resulted in the postponement of bail applications and students being sent to prison while the SAPS tried to verify their permanent residences (Chauke, 2017).

Furthermore, there was a merging of state and universities. According to Brand (2017: 5) "this is evidenced by the SAPS acting at the behest of the university and the expediency with which students are arrested and taken to trial. It could thus be alleged that the university is in fact using extended powers to control the university". In sum, the suspensions, interdicts and arrests deprived students of their right to protests, freedom of expression and further constituted a violation of their human rights and bodily integrity at the hands of police brutality.

#### **6.5.4 UP Transformation Lekgotla**

On Saturday 27<sup>th</sup> February 2016, UP convened a transformation lekgotla where it invited various student representatives to discuss transformation issues at UP, including the language policy – the scrapping of Afrikaans classes in particular – and the clashes which had ensued on campus in the previous days. The lekgotla was convened in collaboration with a third-party organization (as a mediator) and chaired by retired Justice Yvonne Mokgoro Transformation Lekgotla minutes, 2016).

The lekgotla, which was meant to start at 9 am, only convened in the late afternoon as students had raised concern over the presence of heavy security and riot police at the venue (Perdeby, 2016). Before engagements could commence, the students demanded that the private security and the SAPS leave the premises and demanded that the 7 suspended students be reinstated before any engagements could unfold (Transformation Lekgotla minutes, 2016).

After vigorous debates and discussions put forward by students, the university proposed signing of a 'peace accord' between the various stakeholders (Transformation Lekgotla minutes, 2016). The 'peace accord' was prepared by the university ahead of the Transformation Lekgotla but was edited at the venue upon more additions from students. Some student organization did not support the lekgotla, including the EFFSC which released a statement distancing themselves from the process and rejecting its outcomes (EFFSC UP, 2016).

Pro Afrikaans students also threatened to take legal action against the university if it would shift to English as the only medium of instruction at UP: "We will do our best to run projects and get legal action against the University to ensure that the right processes are followed, and to ensure the rights are protected. We have a constitutional right to our mother tongue education on campus" (Afriforum Spokesperson, Mostert, 2016)

Notwithstanding, after hours of engagements between UP students and staff present at the Transformation Lekgotla, the forum resolved on addressing the transformation issues at UP through three broad workstreams, namely: language; curriculum and residence/institutional culture. The work streams were each chaired by executive members of the university and co-chaired by a student representative and each workstream was given a timeframe to report back to the UP executive on the recommendations at the end of April 2016 (Transformation Lekgotla minutes, 2016).

On Monday 29 February 2016, Eye-Witness News reports that classes resumed at UP but with the presence of heavy public order police (Perdeby, 2016; SAHO. 2016). It is further understood that "a police control centre ha[d] been established on the grounds in the event a group forms and tries to disrupt academic activities" (SAHO, 2016). In addition, security guards were instructed to search every student entering campus, checking their student cards and bags for any dangerous weapons that could be carried (SAHO, 2016).

### **6.5.5 UP Social media Ban**

On Wednesday 02 March 2016, the university released a warning to students and staff that it would suspend, expel or criminally charge any student or staff member for liking, retweeting or getting tagged on social media posts that it deemed as 'hate speech': "Students and staff should take note that not only posts or retweets but also likes, tagging and retweets of posts on social media which incite violence, harm or constitute hate speech are in contravention of the university's disciplinary code: students and South African legislation and constitute grounds for criminal and civil action" (UP social media ban statement, 2016).

The communique further warned students and staff that they would be held responsible for content associated with their name even indirectly: "please note that if you allow your name to be coupled with any 'likes', 'tags' or 'retweets' of this nature, you are equally liable and that disciplinary action and possible suspension or expulsion from the university and/or criminal or civil action may follow" (UP social media ban statement, 2016).

This communique would prompt the UP SRC (a new group of leaders from the previous year) to release an official statement condemning the university for what it described as being 'draconian': "The SRC notes with concern the draconian tone of the university management with regards to its said regulations on social media. Although we recognise the need for responsible interaction and commentary; the current nature of the statement, we believe, creates a sense of victimisation and limitation of speech and engagement amongst students" (UP SRC language police statement, 2016)

The SRC also raised concern with what it described as a heavy militarized university: "Furthermore, in light of the heavy security presence in the form of bouncers, and in light of the presence of the SAPS, and the general militarisation of our institution, we believe such a statement adds to the paranoia of students and the limitation of their freedom of expression as provided for in the Constitution of South Africa" (UP SRC language police statement, 2016)

UP's social media ban to students and staff was also condemned by external institution such as the Freedom of Expression Institute (FXI) which argued that "instead of imposing arbitrary bans, the University should rather focus action on only those who are directly responsible for hateful and dangerous speech on campus. A complete ban on commentary violates the right to receive and impart information" (FXI statement, 2016).

Providing a counter argument through its spokesperson, UP argued that the statement was "to make students and staff more cautious with the social media and university policies" (Anna-

Retha Bouwer, 2016). Moreover, classes resumed at UP uninterrupted for the rest of the week but with the presence of heavy security and SAPS station on campus.

### **6.5.6 #FeesMustFall 2016**

It was in September 2016 when the #FeesMustFall wave would once again dominate discussions and debates around higher education in South Africa following an announcement by the Minister of Higher Education, Dr. Blade Nzimande, that fees for 2017 would be decided by university councils but must not exceed 8%. According to a report by the Council on Higher Education (CHE), a 0% increment was unsustainable and recommended to the Minister that universities agree on a uniform increase in fees for 2017 (CHE report, 2016).

In a context where students had demanded for fees to fall, “many students believed that as fees had not fallen, several students were still at risk of being financially excluded and unable to return to their studies” (Perdeby, 2016). As a result, the Ministers announcement of a fee increment immediately set in motion a series of sporadic student protests across South Africa with reports of damage to university property around R500 million across the country.

Across higher education institutions, some institutions took various decisions which included either cancelling/postponing examinations due to threat of violence, while others chose to utilize online platforms to complete the academic year. Following the Minister announcement, UP released communique to students stating that “the university has taken note of various group’s intentions to protests... while the university supports the right to peaceful protests, violent and unlawful action will not be tolerated” (UP statement, 2016)

The statement further added that: “the University of Pretoria has strict security measures and a court interdict in place. The disruption of the normal functioning of university operations, including academic activities, and any violent behaviour will not be tolerated. The university reserves the right to take preventative action in response to threats of violence to any student, staff member or property of the University” (UP statement, 2016). The new measures would also entail stricter access control:

“Admission to the premises of the University by motor vehicles, pedestrians and bicycles is under all circumstances subject to the Control of Access to Public Premises and Vehicles Act (Act 53 of 1985), which determines among other things that an authorised officer may require a member of staff, a student or a visitor who desires admission to the University premises to... subject themselves to a search of themselves or of any vehicle or container (UP 2018)

At UP, the announcement of the fees increments also coincided with SRC elections at UP which were subsequently disrupted by protests. Unlike in 2015, this time around students were not speaking in one voice and the once promising movement was no longer well oiled. At one point a physical altercation ensued between SASCO and EFFSC members which resulted in many students being divided along party lines – a new student movement, #UPFeesMustFall, tried to emerge but would not be successful in uniting the student body as was the case with #Uprising in 2015.

UP brought in private security and the SAPS once again had been stationed on campus. Confrontation between police and students continued to ensue with several arrests being made. Moreover, the unnecessary use of force and violence by the police and private security aggravated the situation. According to Langa (2017:8), “this type of violence has become normal at universities, especially since universities have taken to using interdicts and other shows of force against protesting students.

Fitting with the narrative of violence, on 23 September the EFFSC-UP released a statement highlighting that UP had “illegally” suspended four of its members. The transgressions that students were faced with ranged from “contravention of a court order, disruption of academic activities, violent behaviour and damage to property” (Perdeby, 2016). According to a response by UP spokesperson, “all actions that have been taken by the university have been taken in accordance with the provisions of UP’s Disciplinary Code”.

Moreover, UP introduced a hybrid learning system, with learning and examinations to continue for the rest of the year online. The introduction of a hybrid system also resulted in classes continuing online as the university gates, libraries and facilities remained physically closed and inaccessible to students. In a statement by the new #UPFeesMustFall student movement, the students argued that the hybrid system imposed by UP was “anti-poor and anti-black” adding that it would “inevitable lead to mass academic exclusion (#UPFMF statement, 2016).

The UP SRC also claimed “the militarisation of UP and the extreme police brutality by the SAPS had psychologically affected students who were unable to deal with this trauma”. According to Gillepsie (2017:3) “the use of force and militarisation as a way to control students suggests that the suspension of the rule of law has become one of the mechanisms through which universities protect their interest”. However, according to Perdeby reports, exams at UP continued online as communicated to students (Perdeby, 2016). This clearly shows a move away from an open university towards a controlled institution.



### **6.5.7 #FeesMustFall 2017: the fall of student protest**

Furthermore, in January 2017, it is reported that UP management attempted to bar 36 students involved in protest the previous year from registering without a “formal written request to UP management indicating why a request to register should be considered, and what students are willing to do to avoid disruptions again” (UP communique, 2017). According EFFSC UP spokesperson, “the University of Pretoria was not allowing fallists to register unless they bind themselves to a contract not to partake in protest action” (Sonwabo, 2017).

In addition, Chauke (2017) claims that “UP suspended nine students on false charges and on cases that had not been ruled on in court... [and that] eight of the nine students were excluded without proper procedure by the institution’s management” (Chauke 2017: n.d). According to Shabalala (2017), Deputy Chief Justice of the UP Constitutional Tribunal, “the university has shown a complete disregard and lack of appreciation for legal processes and the one’s rights before the law” (Shabalala, 2017: n.d).

Shabalala further highlighted that “none of these students have either pleaded guilty or been found guilty of the alleged crime. So, the basis upon which these letters were sent is very questionable and seems highly discriminatory and arbitrary as no other student outside of the activist community has received such communication” (Shabalala, 2017: n.d). Some students lambasted the University of social media arguing that the “protocols of suspensions were not faithfully followed, no measures were put in place to justify the suspensions, and a handful of students were barred from all university-controlled systems, residences, all campuses and the UP portal” (Perdeby, 2017).

However, justifying its decision to subject some students to a formal written request to register, UP asserted that “the terms and conditions in the registration of 2016 stipulate[d] that the university [was] not legally obliged to accept the registration application of any student”. It was further highlighted that “in the event that you have been awarded placement in a university residence and your request of re-registration in 2017 of a student is not approved, you will automatically forfeit such resident placement”

These tactics suggest an ignorance of law or pre-established order. Moreover, the use of such tactics by the university exemplifies UPs view of what kind of space the university should be and how it should operate: “an authoritarian space characterised by the suspension of the rule of law and collusion with the state in the form of a close relationship between the university,

SAPS [and the courts]” (Brand 2017: 5). Given this view, I now turn to the university as a matrix of the state of exception.

### **6.6 The university camp(us) and the state of exception**

Locating the university camp(us) as a matrix of state of exception is an analogy by Agamben who considers the Nazi Germany camps, characterized by violent conditions and the suspension of human rights, to be operating under ‘hidden matrix of politics today’ (Kamga, 2018), where the ‘state of exception’ has lost its exceptional character and become the standard rule in public spaces and public institutions such as universities (Agamben, 1998; Kamga, 2018; Reinders, 2018).

Agamben highlights five elements that characterize the exception: the extension of executive powers, the ignorance of law or pre-established order; the violation of human rights (including the right to protest, suspensions and arrests etc.) and state sanctioned police brutality; excessive administrative permissions; imposing curfews - which include searches - to effectively rule by decree while facing the exception.

Across higher education institutions, university authorities in collaboration with the state (DHET, SAPS) have resorted to excessive approaches to securitization, including heavy surveillance and militarization of campuses (Kamga, 2018; Reinders, 2018). The evidence of excessive security measures across higher education institutions (including UP) is evident that in response to student protest there has been a clear increase in securitization and militarization of universities.

In the case of UP, this militarization – and exaggerated responses to student protests - only started being fully enforced during #AfrikaansMustFall in 2016 when student demands went beyond fees and pierced internally into the heart of UP (a historically white Afrikaans University). In addition, responses to the student protests by university managements have been characterized by a disregard for the rights of students (including the right to protest) and the framing of protesting students- most of which are black students- as violent and - by extension - isolating them as criminals who “threatened the functioning of the university system’ and the peace and order of the (white) university community” (Agamben, 1998: 2005; USAF, 2015; Reinders, 2018).

In some instances, these extreme approaches to institutional governance in collaboration with the state have also led to student deaths, arrests, suspensions, expulsions and further alienation in the name of self-preservation. Moreover, in the case of historically white

universities - and where the traumas and violence inflicted by the Apartheid state still linger in the air - the measures deployed by university officials in collaboration with the state are, according to Kamga (2018: 12), “reminiscent of those enforced during the apartheid era at the peak of South Africa’s black liberation quest” and thus can be considered in the realm of exception and violent both by domestic and international standards”.

This violence is evidenced by the various militarized university campuses and the utilization of exceptional security measures (biometric systems, armed private security) from the beginning of the protests which cements the campus as a matrix of the state of exception (Agamben, 1998). The use of excessive security measures such as biometric systems and heavy surveillance to control access to institutions of higher learning - and subsequently crackdown on student protests - further demonstrates Foucauldian sentiments on ‘governmentality’.

Foucault argues that governmentality is centred on ‘biopolitics’ (the intersection of biology and politics) which accounts for the power of technology to process, manipulate, control and subsequently dominate human behaviour (Foucault, 1998; 2003). The result of these interventions through the collaboration of the university and state has been the disregard for student rights (including the right to protests) and thus help underpin severe tensions between students and officials who did not hesitate to enforce emergency security measures against students in alleged defence of the institution and the academic project (Kamga, 2018; Reinders, 2018).

#### 6.8. Uprising and Violent Responses: a conclusion

In order to resolve the question of whether the University of Pretoria operates under a state of exception during student protests, it was necessary to explore factors highlighted by Agamben which inform the exception. These factors include (amongst other things) militarization, excessive administrative control, suspension/detention, police brutality and the violation of violating human rights to maintain a false sense of law and order. The militarization of UP was investigated and it is evident that in response to student protests there has been an increase in extreme securitization (biometrics, cameras, private security) and the militarization of campus using the SAPS. In addition, there has been a merging of university and state where using different court interdicts, UP effectively gained criminal jurisdiction over protesting students by granting the SAPS permission to arrest its own students and have them criminally charged for contravening the interdict obtained by the university.

There has also been a change in the way the university operates characterized by a top-down approach and the suspension of law/pre-established order. It is evident that UP took decisions from top management to enforce a state of exception and control what was happening at the bottom. In addition, it is evident that UP extended its administrative powers to target, suspend and academically exclude protesting students which it identified as a threat. This approach taken by UP (sanction without trial) is evidence that a state of exception exists as well as the promotion of authoritarianism which aims to prevent or stop student protests by any means necessary. Moreover, this approach also constitutes a violation of student's rights, including the right to protests and to be treated equally in a space which is meant to promote critical thinking and not the promotion of violence and force

## Chapter Seven

### Conclusion

#### 7.1 Introduction

Although the literature on 'Fallism' has usually addressed the collective concerns, demands and action of students in universities and often drawing a distinction between historically white and historically black universities, there has been little critical attention paid to the varying experiences within historically white universities themselves arising out of the different historical context of universities. This chapter provides an overview of the study, highlighting findings and suggestion future studies.

#### 7.2 The importance of history in institutional culture of violence

Through a careful consideration of the developments of South Africa's higher education landscape and university system, we get to learn important historical moments which inform underlying tensions (political, cultural) of higher education institutions in SA. At the centre of this discourse in historically white universities specifically, and which has been ignored in the literature on higher education institutions, has been the role of language – the elevation of Afrikaans in particular - and how extreme these tensions have been to the extent that they inform the establishment of two universities in the Transvaal divided by cultural and race lines- the SA School of Mines (Wits) in Johannesburg and attended mostly by White English speaking students, and the Transvaal University Kollege (UP) for white Afrikaans students in Pretoria

It was not until the victory of the apartheid National Party (1948) that Afrikaans would be bolstered through violent laws on education which were introduced by the apartheid regime shortly after. Key amongst such legislation was the Extension of the Universities Act (1959) which polarized SA's higher education landscape along ethnic and racial line; and further criminalized the enrolment of black students into hitherto open (white) universities. By stressing the cultural and intellectual difference between racial groups as the foundation for the Extension of Universities Act, the apartheid government managed to entrench a segregated higher education system consisting of embedded superiority and inferiority complexities and which would prepare - even forcefully- Black people to accept differences and inequality as a natural phenomenon and unchallengeable order (Hlatshwayo, 2000).

In the case of historically white Afrikaans universities specifically, this also meant upholding racist underpinnings and policies informed by the apartheid state and targeted violence being the approach of the apartheid regime - a state of exception (Agamben, 1998). It is this systemic and targeted violence which enabled the apartheid state with grounds to intervene and to interfere in the affairs of an institutions and public spaces on its own terms, using the police and the military as security arms of the state to strengthen its existing racist governance policies and ideology (for example the 1976 Soweto Uprising). Amongst many aspects, the support that historically Afrikaans universities (including UP) gave to the apartheid regime also had major implications on their academic and governance cultures which can be described, amongst other elements, as “strongly authoritarian” (Bunting, 2016: 40-44).

Although the introduction of democracy in South Africa (1994) repealed Apartheid racist laws and practices (some of which have been mentioned above) and opened access to higher education for all ‘qualifying students’ regardless of race, sex or religious affiliation (Naidoo, 2015); the relationship between democracy and equal access is not enough to overcome socio-economic and socio-political patterns of exclusion which has been at the heart of student protests in 2015. This is because universities in general, and historically white universities for purposes of this research study, maintain deeply rooted colonial and Apartheid historical, cultural, and institutional practices which, as students in historically white universities (#RMF, #OS, #FMF, #UPRising/#AfrikaansMustFall) have argued, continue to exclude historically disadvantaged groups and in effect alienate non-white students in general - with black students being the most affected.

### 7.3 The Evolution of Student Politics

Through a careful consideration of the evolution of SA’s student movement, and alongside the above developments of higher education in SA, the literature in chapter four explicates the historical roots and essentials features of SA’s student politics leading to 2015. At the center of the discourse has been critical tensions amongst white English and Afrikaans students which inform the split of student organizations along cultural lines (NUSAS and ASB) as well as white and black students which inform the split of student organizations along race lines (NUSAS and SASO). While both racial groups have converged on the issue of (free) education (the birth of SASCO and later #FeesMustFall/#UPRising), it is the historic role of language - the violent elevation of Afrikaans in particular - that sets black and white students apart (#RMF, #OS and #AfrikaansMustFall).

Central to these differences has been that student politics in historically white universities since 2015 replicate the same disillusionment which point to broader historical and political events/trends in SA. It is also clear that in the case of historically white Afrikaans universities (including UP), students have linked their struggles to the 1976 Soweto Uprising, marking their moment (as with #RMF, #OS and #AfrikaansMustFall) as continuing the ‘unfinished task’ of undoing apartheid (racist) legacies and patterns of exclusion. In other words, the decolonial turn in South African universities at the start of 2015 must be seen alongside the kind of political praxis developing within the student movement and its evolvement leading to the 2015 student protests.

Moreover, students from these institutions have demonstrated a willingness to make connections to political practices that emanate from outside the elite space of the university by adopting strategies and tactics against statues, language policy and fees (amongst other things) as an entry point into a much bigger conversation around the slow pace of transformation in SA higher education institutions - and in SA generally -; and against the backdrop of a youth crippled with structural challenges of racism, inequality, unemployment and poverty.

#### 7.4 The Fallist Movement and Violence

Overall, the #RMF, #OS, #FMF, #UPRising and #AfrikaansMustFall movements - collectively - bring to life a series of debates around historically white universities in South Africa and have presented a clear demand by students to decolonize higher education institutions. In addition, the #FMF/#AfrikaansMustFall protests – and the violence that ensued thereafter – “unveil the impossibility of public authorities and universities to reconcile (or their lack of will to reconcile) the use of emergency powers with freedoms of expression, movement, assembly, demonstration, picket and petition guaranteed by the constitution of student rights, that mirror the provisions of section 17 of the constitution of South Africa” (Kamga, 2018: 99).

Moreover, the literature on student protests since 2015 has for the most part centered the discussions and debates around curriculum, language and fees, and has neglected to question the other underlying historical and cultural patterns which continue to inform the daily operations of some universities today. The case study of the #UPRising (2015) and #AfrikaansMustFall (2016) student movements at UP shows that although the dawn of democracy brought an end to apartheid racist laws, policies and practices in higher education South Africa, the underlying historical, cultural conditions underpinning UP continue to haunt student dreams of liberated knowledge spaces. Students argued – as with #UPRising/

#AfrikaansMustFall – that these conditions continue to discriminate against and violate the rights of (black) students in post-apartheid historically white Afrikaans universities today.

### 7.5 State of Exception. Student Protest and Institutional Violence

Centred around the national conversation of fees and the actions of student's actions alone, not enough research has investigated the many ways in which institutions of higher learning - as the primary site of resistance - responded internally and individually during times when the integrity of the university system was brought into question in the wake of #Fallism more nationally. Interrogating these responses carefully (as with the study of #UPRising and #AfrikaansMustFall) reveal several important variations and considerations in historically white [Afrikaans] universities which have been overshadowed by the dominant focus on historically English universities - most notably the University of Cape Town (UCT) and Witwatersrand University (Wits) as it relates to the #RhodesMustFall and #FeesMustFall being ascribed to those institution respectively.

Therefore, not enough attention has been given to the unresolved institutional inequalities, cultural practices and internal governance structures unique to each universities in post-Apartheid South African Higher Education institutions which enable conditions (as discussed above) that reinforce historical, cultural and institutional violent practices- even subliminally. These conditions also point to a deeper underlying issue around the historical role of language (Afrikaans in particular), cultural patterns which underpins UP as a historically white Afrikaans university.

Controversial and ambiguous the student protests have been response to student protests by UP presents broader polemical views and critical approaches which require further reflection and engagement beyond the limitations of this study. As a result, the plain narrative that labels students as violent fails to consider how institutional overreaction to largely peaceful protests have escalated and radicalized student protests and actions (Duncan, 2016). More importantly, it is in the best interests of university management to do more to break with this self-fulfilling and blame shifting prophecy by interrogating their contextual realities to understand their own contributions to violent outcomes.



## 7.6 Conclusion

The aim of this research was to identify the underlying historical, cultural, and institutional practices in historically white Afrikaans universities that inform exaggerated strategies and approaches of institutional governance in response to student protests even where no direct threat is posed. Using Agamben's theory of exception, the concern for this research was therefore to understand the relationship between an institutions history, culture and approaches to governance which result in violence during a time - as with the #UPRising/AfrikaansMustFall movements - where the integrity of the university system internally was brought into question.

In my considered view, higher education polices around institutional governance should be reviewed to consider the underlying historical, cultural and institutional complexities which inform exaggerated responses to student protests. Using the university campus as the matrix of hidden politics of state of emergency, the following question are important to consider: can the student protests which pierce internally into the heart of historically white universities, and which expose the underlying historical and cultural (racist) practices, be treated as a threat to the state/university to justify exceptional measures?

If not, which is the position of this research, then the immediate concern for future research is to understand why student demands that pierce internally into the heart of historically white universities since 2015 could only be (and still are) addressed through exceptional and violent measures from the side of the university in collaboration with the state?

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