

DELIBERATIVE DEMOCRACY AND HIGHER EDUCATION POLICY DISCOURSE IN SOUTH AFRICA: In defence of equitable redress

YusefWaghid

INTRODUCTION

Theoretically defined, deliberative democracy refers to the notion that legitimate political decision-making emanates from the public deliberation of citizens. In other words, as a normative account of political decision-making, deliberative democracy evokes ideals of rational legislation, participatory politics and civic self-governance, that is, "it presents an ideal of political autonomy based on practical reasoning of citizens" (Bohman & Rehg 1997: ix). The upshot of such a theoretical grounding of democracy based on public deliberation presupposes that citizens or their representatives engage in reasoning together about laws and policies they ought to pursue as a political community, that is to say, to bring about the "use of public reason" (Bohman & Rehg 1997: x). The theoretical critiques of liberal democratic models and the revival of participatory politics developed through the 1970s. Only in the 1980s did the concept of deliberative democracy begin to assume some form of theoretical identity with the ideas of Joseph Bessette, who first used the concept as a critique against the camera

understanding of political practice in terms of self-determination or self-realisation and rational discourse (Habermas 1997: 39). This practice of practical reasoning for Habermas empowers citizens to decide upon the rules and manner of their living together in a self-determined way, thereby producing co-operative life practices "centred in conscious (and rational) political will-formation" (Habermas 1997: 41). In short, Habermas posits that "a politics radically situated in this world should be justifiable on the basis of reason ..." (Habermas 1997: 41). Moreover, a democratic legislature for Habermas decides by consensus at the level of inter-subjective deliberation guided by argumentation that, in turn, dismisses programmed decisions in the public sphere (Habermas 1997: 57). In the event that consensus seems unrealisable and political deadlock imminent, Habermas proposes majority decision-making as "a conditional consensus" based on rational discussion and argumentation: "A majority decision may come about only in such a way that its content is regarded as the rationally motivated but *fallible* result of an attempt to determine what is right through a discussion that has been brought to a *provisional* close under pressure to decide ..." (Habermas 1997: 47). Yet such a "conditional consensus" does not require minorities to abandon their aims, but rather "... that they forego the practical application of their convictions, until they succeed in better establishing their reasons and procuring the necessary number of affirmative votes" (Habermas 1997: 47).

Habermas' emphasis on citizens' "better establishing their reasons" in political processes has some connection with discourse theory that allows "the better arguments to come into play in various forms of deliberation" (Habermas 1996: 24). The "better argument" in a Habermasian way works with high levels of rational discourse that flows through both parliamentary structures and informal networks of the public sphere. This suggests that deliberative politics for Habermas works within and outside the parliamentary complex, where deliberations "constitute arenas in which a more or less rational opinion- and will-formation can take place" (Habermas 1996: 28). When the "better argument" does not seem to yield the desired political result, Habermas suggests the application of a compromise or shared consensus amongst citizens possessing competing political interests: "The political interests and values that stand in conflict with each other without prospects of consensus are in need of balancing ..." (Habermas 1996: 25). In essence, Habermas' discourse-theoretical reading of democracy aims to achieve consensus shared by the citizenry according to procedural rules of discourse and argumentation, whose fallible results enjoy "the presumption of rationality" (Habermas 1996: 29). In short, Habermas proposes a rational, consensus-oriented discourse of deliberative democracy.

South Africa's higher education policy discourse took its first intersubjective and deliberative steps with the appointment of the National Commission of Higher Education (NCHE) in 1995 after the publication of the first White Paper on Education and Training (WPET) (Department of Education 1995). The Centre for Education Policy Development (CEPD), aligned with the ruling African National Congress (ANC), produced the NCHE's policy brief to come up with a document that satisfied a plurality of competing interests, including those of apartheid bureaucrats whose jobs had been secured as part of the negotiated political settlement and who arguably represented White minority interests (Moja & Hayward 2000: 338). The intersubjective NCHE process constituted by representatives from varying political, cultural, academic and economic

spheres, who had the self-determining, "conscious and political will-formation", was characterised by rational argumentation and deliberative consensus-seeking, drawing considerably from international comparative expertise and practical experience about higher education restructuring.

Despite so many diverse and competing interests at stake, the NCHE produced a report which called for, in Habermas' words, "co-operative life practices" that could ensure increased participation, greater responsiveness and relevance, and increased co-operation and partnerships in the higher education sector (NCHE 1996: 6-8). Central to the deliberative efforts of the NCHE was their "conscious and political will-formation" to achieve equity in the development of a single co-ordinated higher education system characterised by the aforementioned "co-operative life practices" as the primary driving force of the report: equity in the allocation of resources, redress of historical inequalities with a new funding formula for historically disadvantaged institutions (HDIs), co-operative governance at institutional and national levels, a balanced approach to material and human resources, and high standards of quality, particularly in the domains of programmes and programmatic provision.

First, on the issue of increasing the participation of students in the higher education sector, the NCHE envisaged that the "massification" of students who had been denied access to higher education in the past would invariably improve students' chances to become better practical reasoners — possessing enhanced cognitive abilities and skills to participate as democratic citizens in the new South African society. Unfortunately, due to problems related to "epistemological access" and funding, only 580 000 students enrolled for the higher education sector in 2000 compared with 608 000 in 1998— a significant decline in the student intake. In other words, although students might have qualified formally to enter the higher education sector, due to impoverished school achievement, many students are already excluded from a point of view of knowledge base, that is, epistemologically. By implication, equitable access to higher education has not as yet had the desired effect of producing a critical mass of students whose quality of life chances according to the NCHE could improve, particularly those Blacks denied access to higher education in the past and who had (and arguably continue to have) limited employment opportunities as White-collar workers.

Second, the NCHE's announcement for achieving greater responsiveness and relevance through restructured programmes and programmatic provisions underscored by "effective quality assurance" can be seen as an attempt to cultivate in students the capacities of "self-realisation" to become skilled people who can contribute towards addressing the country's urgent need for social reconstruction and national development (NCHE 1996: 127) — clearly an indication that equitable redress has been considered as a priority for the higher education policy discourse.

Third, on the question of increased co-operation and partnerships among White historically advantaged institutions (HAIs) and Black historically disadvantaged institutions (HDIs), the NCHE envisaged that through co-operative relationships and partnerships among HAIs and HDIs the higher education student base would hopefully become deracialised. Instead, the deracialisation of the new post-1994 higher education landscape resulted in many Black students leaving several HDIs (out of a total of 21

universities and 15 technikons or polytechnics in the country), where deficits caused by non-paying poor students, financial mismanagement, student unrest (leading to campus occupations by police and private security firms) and suspect educational quality were increasing. Yet there can be no doubt that the "fallible" report of the NCHE for a while enjoyed what Habermas refers to as "the presumption of rationality" within the deliberative discourse of inter subjective stakeholders. In other words, the NCHE rationally defended the idea that equity and redress as the primary driving force of the higher education policy agenda could lead to the reconstruction and development of South African society after decades of apartheid rule.

This "presumption of rationality" also existed among the authors of the Education White Paper Three: A Programme for the Transformation of Higher Education (EWP) (Department of Education 1997), which outlined the country's higher education policy framework by taking up most of the NCHE's recommendations. The EWP (1997) stems from a Green Paper published by the Ministry of Education in December 1996, which gave firmer rhetorical commitment to the principles of equity, redress (specifically institutional redress), justice and democratisation. Although the Green Paper endorsed the NCHE's recommendations on accountability, efficiency, and a national qualifications structure, it assigned a greater role to national development through global competitiveness, thus ostensibly for the first time minimising demands for substantive equity and redress in the higher education sector. In fact, the authors of the Green Paper and later the EWP (1997) reduced the emphasis on substantive equitable redress discourse in favour of human capacity enhancement for national development and economic global competitiveness. Jarvis (2002: 5) quite correctly posits that (higher) education "is increasingly becoming influenced by the global economic market". Bourdieu (1998: 1) aptly describes such a shift towards neoliberalism as the sanctification of "the power of markets in the name of economic efficiency, which requires the elimination of administrative and political barriers capable of inconveniencing the owners of capital in their individual quest for the maximisation of individual profit, which has been turned into a model of rationality".

The point I am making is that, although the EWP did not entirely dismiss the equitable redress agenda, it was certainly minimised and reconceptualised through a renewed emphasis on increasing the human potential of students vis-a-vis national development needs (as proposed by the NCHE), including high-skilled employment needs presented by a growing economy operating in a global, neoliberal environment. Put differently, the EWP contends that equity of access and fair chances of success to all, together with the eradication of all forms of unfair discrimination and past inequalities, can no longer solely be seen as revolving around the provision of institutional redress funding (Department of Education 1997: 1-14). The higher education policy discourse around redress funding was criticised as highly inefficient in terms of achieving successful student throughputs, since it was merely used as a means to alleviate the debt burden at most HDIs (Habib 2001: 4). In a different way, the expectation of redress led many HDIs to attach the resolution of their institutional crises to receiving additional earmarked government funding. What the EWP purports is that the attainment of equitable redress is conditional upon cultivating a democratic ethos (humaneness, non-racism, non-sexism and tolerance), a culture of human rights and citizenship, and the development of a

critical discourse (creativity and imagination) in students in order to address the diverse problems and demands of the local, national, Southern African and African contexts (Department of Education 1997: 14) — a tentative shift towards becoming globally responsive and competitive.

The processes that led to the finalisation of the NCHE report and the EWP policy document epitomise that a "conditional consensus" had been attained among deliberative stakeholders, and that deliberation about the evolving higher education discourse remained "free and unconstrained". This is borne out by the fact that the vision to redress the inequities of apartheid, and

common interest of all results from processes of collective deliberation conducted rationally and fairly among free and equal citizens" (Benhabib 1996: 69). Put differently, decisions affecting the well being of a collectivity are viewed as the outcome of a procedure of free and reasoned deliberation among individuals considered as moral and political equals.

In addition, for Rawls the limits of public reason are not applicable to personal deliberations and reflections about political questions or what he refers to as "reasoning about them by members of associations such as churches and universities" (Rawls 1993: 215). In other words, the reasoning of corporate bodies and associations is "public" with respect to its members, but "non-public" with respect to political society and citizens in general, that is, the state including the legal sphere and its institutions. Benhabib's discursive-reflexive notion of democracy, unlike Rawls' idea of public reason, does not separate the personal from the political precisely because "politics and public reason are always seen to emerge out of a cultural and social context" (Benhabib 1996: 76). In a different way, for Benhabib reason is always situated in a context, which means that it can never render transparent all the cultural and social conditions that give rise to it. Hence, for Benhabib deliberative democracy does not restrict the agenda of public conversation, but rather encourages discourse that integrates the public and the private, as well as being more interested in the ways in which political processes interact with cultural and social contexts. Moreover, Benhabib posits that political processes involve more than self-interested competition governed by bargaining and an aggregative mechanism of voting. Rather, participants (say at parliamentary level) could temporarily make an agreement based on majoritarian decision-making, but should also procedurally build into the deliberative process a reflexivity principle which allows for the public re-examination of majoritarian decisions — what Benhabib (1996: 72) refers to as that reflexivity condition which allows abuses and misapplications at the first level (say, parliamentary level) to be challenged at a second meta-level of discourse (say, at provincial levels and in public forums).

Could the higher education policy discourse which led to the promulgation of the National Plan for Higher Education (Department of Education 2001) be explained in relation to discursiveness and reflexivity? In the first instance, the strategic policy goals of the NPHE are based on the policy framework outlined in the EWP (Department of Education 1997). These key goals include the following:

- To provide *increased access* to higher education to all irrespective of race, gender, age, creed, class or disability and to produce graduates with the *skills and competencies necessary to meet the human resource needs of the country*;
- To promote *equity of access and to redress past inequalities* through ensuring that the staff and student profiles in higher education progressively reflect the demographic realities of South African society;
- To ensure diversity in the organisational form and institutional landscape of the higher education system through mission and programme differentiation, thus enabling *the addressing of regional and national needs in social and economic development*,
- To build high-level research capacity to *address the research and knowledge need of South Africa*; and

- To *build new institutional and organisational forms* and new institutional identities through regional collaboration between institutions (Department of Education 2001: 16-17, my italics).

The way that the NPHE outlines how the higher education policy framework of the EWP should be implemented corroborates the fact that its authors extended the legacy of intersubjective deliberation used in the earlier period of policy formulation — they did not simply dismiss what had been deliberated upon earlier. Whereas in the earlier period of the higher education policy discourse there was much wider and exhaustive stakeholder participation and consultation, the Minister of Education intervened by appointing the Council on Higher Education (CHE) comprised of a small group of intellectuals, politicians and business people to advise him on a National Plan for Higher Education through a process of "free and unconstrained deliberation". In 2000 the CHE produced a report entitled "Towards a Higher Education Landscape: Meeting the Equity, Quality and Social Development Imperatives of South Africa in the 21st Century". In this report the CHE proposed a differentiated system of three types of higher education institutions: (1) exclusive postgraduate and research institutions; (2) extensive Masters and selective PhD institutions; and (3) bedrock institutions for undergraduate programmes and limited postgraduate programmes up to Masters level. These proposals met with vehement opposition from higher education stakeholders; they were accused of reproducing apartheid structures, as it was expected that HDIs would be assigned bedrock status. In response, the CHE proposed that the Minister of Education should appoint a National Working Group (NWG) to advise him on the restructuring of the higher education landscape. Eventually the NPHE was released in 2001. As can be deduced from the aforementioned strategic goals of the NPHE, a clear economic-rationalist discourse had come to characterise the terrain of higher education discourse, which favoured a stronger link between higher education and its neoliberal export-led growth orientation. Dominant though within the higher education policy discourse this has increasingly minimised its initial strong thrust towards equity and redress, and instead substantively emphasised the need for efficient human resource development commensurate with regional and national needs, as well as global economic imperatives. The achievement of equity and redress which had been so prominent in earlier higher education policy discourse, became secondary to the more primary objective of making higher education more responsive to attending to economic labour market imperatives and concomitant neoliberal requirements for skilled and innovative knowledge workers and producers who, in the words of Bourdieu (1998: 2), can ensure "an unprecedented mobility of capital".

The question arises: how can the economic-rationalist agenda of the NPHE be explained within a discursive-reflexive paradigm? Firstly, Benhabib's notion of discursive-reflexive democracy recognises discourse that integrates the public and private spheres. Certainly the growth in private higher education provision (announced as an outcome to be achieved in the NPHE) established mainly through partnerships with public institutions, reflects the impact of economic market forces on higher education discourse. On the one hand, it is claimed that this integration between the private and public sectors of the higher education terrain is primarily geared towards providing vocational educational programmes that would result in employment for previously unskilled and poorly prepared Black students, whereas on the other hand, it is seen as a response to economic labour market

imperatives (Subotzky 2002). For example, my own institution's Faculty of Education established a five-year

corporatisation would not result in competition. Slaughter and Leslie (1997: 129-132) argue that, on the contrary, corporatisation creates a sense of competition among higher education institutions when they confront the marketplace, which could lead to problems of conformity and a lack of creativity in basic research, because of the confidentiality of research results encouraged by governing bodies of higher education institutions. I have a suspicion that in South Africa mergers have the potential to encourage competition which would invariably favour the already advantaged institutions vis-a-vis research output. This would further entrench existing inequalities, since inadequately trained academic staff mostly work at HDIs.

What should happen to higher education policy discourse?

There is little doubt that the new "economic-rationalist" agenda of the higher education policy discourse would invariably result in a better skilled and competitive labour force (especially in science, engineering and technology) and perhaps give South Africa more strategic clout in a globalised market economy. Likewise, for higher education policy discourse to emphasise the need to cultivate in people the capacities for democratic citizenship would do much for reconstruction and development, especially after decades of apartheid. Yet I remain only cautiously optimistic about such an economic-rationalist agenda if demands for equity and redress are not also going to be attended to seriously by the government. The reason for this is self-evident if one considers that higher education has become an expensive and marketable commodity which mostly the "haves" who were economically privileged by the apartheid past can acquire, whereas the "have nots" who were disadvantaged by the previous unjust and racist system would find it more difficult and challenging to attain a higher education qualification in an era of corporate dominance. The South African Statistics Income and Expenditure Survey from 1995 showed that the poverty rate for Blacks was slightly above 60 percent compared to 1 percent for Whites; 60 percent of female-headed households fell below the poverty line compared to around 30 percent of male-headed households; and the poverty rate in rural areas was some 70 percent compared to almost 30 percent in urban areas (Christiansen Cawfhra, Helman-Smith & Moloji 2001: 80). This would further exacerbate the divide between those who have and those who don't. Lohmann (2002: 14) reminds us that the "commercialisation of public education" would inevitably result in the non-affordability of higher education, which could have disastrous consequences for developed but especially for underdeveloped countries. She bases her argument on the National Center for Public Policy and Higher Education's report, entitled "Losing Ground: a National Status Report on the Affordability of American Higher Education", which informs the public that "increases in tuition have made colleges and universities less affordable for most American families; that federal and state financial aid to students has not kept pace with increases in tuition; that students and families at all income levels are borrowing more than ever before to pay for college; that the steepest increases in public college tuition have been imposed during times of greatest economic hardships; and that state

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Africa are escalating at alarming rates in spite of rising unemployment levels, it is not surprising that Lohmann's remarks about the non-affordability of higher education might soon become a reality in this country. What makes the situation even more disconcerting and the need for equitable redress an immediate priority is the fact that escalating crime and violence, increasing poverty and human suffering (especially with the HIV/AIDS pandemic) emerge as legitimate challenges which all South Africans have to face and which require the contribution of all (but especially Black) South Africans. Economic-rationalist higher education policy discourse in South Africa has to become more responsive to demands for equity and redress if deliberative democracy is to succeed further.

The question arises: what, then, should happen to higher education policy discourse? There is little doubt that South Africa's economic-rationalist agenda for higher education policy discourse cannot be wished away, since higher education's main benefit has become private, which in turn justifies the levying of fees upon individuals (Hayek & Friedman in Marginson 1997: 59). That economic rationalism has led to the corporatisation of higher education is evident from the fact that higher education institutions are expected to raise a much greater proportion of their own revenue, enter into business enterprises, acquire and hold investment portfolios, encourage partnerships with private business firms, compete with other institutions in the production and marketing of courses to students who are now seen as customers, and generally engage with the market for higher education (Bolstock 1999: 3). However, strategies need to be found which can in a way minimise the economic rationalist path higher education policy discourse has embarked upon. In line with the International Conference of University Teacher Organisations' resolution, higher education fees in South Africa, particularly for the masses of previously disadvantaged Black students, should not exceed 20 percent of course costs and subsidies should be made available, whereas funding of higher education should remain primarily the responsibility of the state (Bolstock 1999: 12). This could hopefully ensure that equitable redress would not be ignored and that higher education discourse in South Africa would dedicate itself to the pursuit of significant knowledge and lasting values, thus minimising the potentially harmful effects of exclusive corporatisation.

It is my contention that all higher education stakeholders ought to engage in reasoning together about policies that take equitable redress far more seriously than is currently the case. In a self-determining way these stakeholders have to make the equitable redress agenda a priority, since it cannot be assumed that economic rationalism would engender sufficient conditions for equity to occur. Instead, more than ever the potential is there for economic rationalism to undermine the country's equity agenda because there is evidence that corporatisation excludes those who are already marginalised, because it has "as its only law the pursuit of egoistic interests and the individual passion for profit" (Bourdieu 1998: 5). Higher education policy discourse should also make South African citizens openly aware (through public debate) of the negative effects of neoliberalism, thus revisiting Benhabib's discursive-reflexive view of deliberative democracy — one that can lead to critical public scrutiny and defence of an equitable redress programme for higher education policy discourse.