

# Editorial



FROM THE EDITOR

This issue is a collaborative effort with the Education Policy Consortium (EPC) – a collective that is committed to transforming education in South Africa – and it is by design that most of the articles are on post-school education and training.

What is striking about EPC's work is the research that is taking place in communities, as seen in the articles on the EV2 projects.

Researchers go to the field to learn about what communities are doing, but in that process they are also able to reflect on their understanding of society. Britt Baatjes, Sonya Leurquain-Steyn, Olwam Mngwazi and Khanyisile Ngalo write about their research trip to Is'baya in the Eastern Cape. During the trip they are struck by the 'wealth and richness' of the community that one cannot measure in material terms.

Olwam Mngwazi discusses his experience with the Vezokuhle Youth Development Project in New Brighton, Port Elizabeth. During discussions education is associated with broken promises as those who acquired it have no jobs but at the same time they say it is empowering.

In a similar vein Sandile Zwane, David Balwanz and Itumeleng Moabi talk to youth from the Vaal and conclude that it is a myth

that if one has a qualification they will get a job. Like in New Brighton the learners also talk of 'meaningful skills' including carpentry, plumbing, electrical and design.

The skills debate is unravelled by Britt Baatjes; John Treat and Enver Motala; Siphelo Ngcwangu and David Balwanz. Common catch phrases like upskill, reskill, retrain and refocus are seen as mantras. This kind of language is insufficient in explaining scarce skills. What is not addressed in the skills debate is the crisis of global corporate capitalism and a formal labour market that cannot absorb all the workers. Associated with this is SA capitalism's neo-liberal economic policies like the Growth Employment and Redistribution (Gear) Strategy and the National Development Plan.

Therefore, SA industrial policy is founded on warped thinking, writes Palesa Molebatsi arguing that it should however focus on absorbing 'unskilled' and 'low skilled' workers instead of being concerned with technological leap frogging.

Some articles analyse policy decisions, such as Paul Kgobe and Ivor Baatjes who argue that the White Paper points in the right direction on social justice in education as well as addressing inequality. Nevertheless, one must

proceed with caution as access to post-school education and training (PSET) alone does not address the legacy of apartheid and requires broader social and economic reforms.

Learning from the past is also critical, as Sheri Hamilton looks back at missed policy opportunities to carry out mass literacy campaigns that could have brought better results to adult education. Some articles explain the EPC thinking on post-schooling such as Thalia Eccles's arguments that knowledge is created through community education.

If you want to access post-schooling education where do you go? Are there enough places for all who are interested? Ronel Blom looks at what exists in the country and also where the gaps are.

On other matters, this issue also has an article that explains the importance of resources to the National Health Insurance programme. Shakira Choonara and John Eyles look at how other countries have managed to secure funds for universal health care.

A court judgment in Zimbabwe led to massive job losses. Munyaradzi Gwisai looks at how the court erred. <sup>LB</sup>

Elijah Chiwota  
Editor

## The South African Labour

### Bulletin's mission is to:

- provide information and stimulate critical analysis and debate on issues and challenges that confront workers, their organisations and their communities; and
- communicate this in an accessible and engaging manner.

In so doing the SALB hopes to advance progressive politics, promote social justice and the interests of the working class.

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# Security officers win right to equal pay

The South African Transport and Allied Workers Union (Satawu) welcomes the release of the Sectoral Determination for the Private Security Sector as it removes the apartheid slavery demarcation of pay grading, writes **Zenzo Mahlangu**.

**T**he Minister of Labour, Nelisiwe Oliphant, has published the Sectoral Determination for the Private Security Sector, which sets out basic employment standards and minimum wages for South Africa's security officers.

The Sectoral Determination is for three years commencing effective from 1 September 2015 to 1 September 2017.

The major gain the union was able to achieve in the negotiations was the phasing out of Grade D and E in the securities sector. The basic salary of a Grade D and E employee will be equal to that of a Grade C with effect from the third year of the determination.

Area 2 has also been incorporated into Area 1: these relate to urban and rural area differentiation.

The basic salary rates for security officers in Area 2 will be the same as of Area 1 in the third year of the determination.

The salary gap between grades C to E will be closed, and the gap in areas will be reduced from five to three in the last year of the determination. This is a great achievement in doing away with apartheid slavery demarcation. It will give fresh ground for renaming the areas into urban and rural areas.

Our view is that it should be aligned to the current dispensation of municipality demarcation such as metros and/or city councils.

We hope ultimately to raise salaries of all security officers to better living earnings. This not only fixes the wages of security officers but also improves the security industry to a well-respected profession.

Satawu knows that gross inequality in terms of wages and conditions in the security sector is certainly a recipe not only for insecurity and strikes, but also for wider social instability.

We are glad that the minister has taken into consideration the work done by the negotiations team into the promulgation.

The Sectoral Determination, in line with international best practice, is set for a period of three years. The minimum wages are set out as shown in the table below:

	Areas A	Areas B	Areas C
<b>Grade A</b>	R4,571	R4,177	R3,794
<b>Grade B</b>	R4,096	R3,739	R3,452
<b>Grade C</b>	R3,545	R3,258	R2,948
<b>Grade D &amp; E</b>	R3,482	R3,162	R2,874

Another big victory for the workers was an abolition of the definitions of ship and cargo officers. These workers are now aligned to the current existing grades, and they will receive benefits such as the provident fund which they were deprived of in the past.

Satawu admits there's still lot of work to be done to further improve the working standards of the

security officers and workers at large.

The security industry is bigger than what it has ever been in South Africa and the irony is that people who own security companies earn far more than the men and women who protect us. This three-year breakthrough will give us space to go to the ground and consult more with our members so that we are

well equipped for the 2018 wage negotiations.

We should all be looking beyond immediate battles to a better economic system and pledge to continue fighting for all the vulnerable workers' demands for higher salaries. **LB**

*Zenzo Mablangu is the general secretary of Satawu.*

# Are workplaces safe and supportive?

## Real-life experiences of LGBT women

Gender stereotyping is all too common in South African workplaces and few employers have policies in place relating to inclusive workplace 'cultures'. It is worse for lesbian gay bisexual and transsexual (LGBT) workers, write **Nina Benjamin, Nosipho Twala and Finn Reygan.**

**W**orkplace culture is understood as the invisible set of rules an employee navigates, sometimes with the support of co-workers, but often alone. In South Africa, workplaces are gendered in complex and intersecting ways: ideas, processes, structures and practices often reinforce and normalise social expectations about masculinity and femininity. The most obvious example of this is how certain jobs continue to be perceived as women's jobs. These heteronormative assumptions have direct and far-reaching consequences for LGBT workers, who are expected to conform to expectations about how to dress, act and self-identify.

Phiwe explains how she presents as feminine in the workplace and is therefore perceived to be adhering to the 'rules' of gender: 'I dress feminine. I put on my make-up and it is not a problem, until I say that I am a lesbian. But when it comes to a butch (masculine) person, it is difficult.'

Gay and Lesbian Memory in Action and the Labour Research Service argue that dressing

femininely and wearing make-up or jewellery can mean that a lesbian or gender-nonconforming woman 'fits in', but is also often read as her being 'available' to men. After disclosing her sexual orientation, Phiwe encountered animosity and confusion from colleagues: 'Immediately after me coming out, things started changing in a serious way. Everybody was on my case and watching every move that I made.'

Nkele, who identifies as a butch lesbian, speaks here about the difficulties she has experienced in accessing employment because of her gender expression. She believes her presentation is an obstacle for securing a job, with potential employers disregarding her application because of her clothing and other gender signifiers.

'When I buy Job Mail and want to apply for a job, I think about the past and know that they would look at my appearance and know that I'm lesbian. So I'll rather not apply, even though I've done so many courses that put me at an advantage. I have qualifications and certificates that can fill the room. There are jobs

that I can get, but I've decided not to hurt myself.'

T-man opts to work at non-governmental organisations (NGOs), where she believes she will be welcomed and respected.

'I have never worked for any company because, as a butch lesbian, I'm easily identified during an interview. Anyone can pick up that I'm lesbian and as a result I do not get hired. I have always worked in NGOs ... There are very few lesbians employed in companies: most of them are working for NGOs or are self-employed. Those that are employed got that job through a referral or a network. They may be referred by a friend, cousin or a relative who is employed in the same company, but when you make one mistake you are kicked out.'

Ella also identifies as a butch lesbian. She worked for a few years at a government department and refused to give into pressure about how to dress. 'From my side it is really obvious: I walk in and they say, "Dress code!" Some of them stare, hide and talk. [They say:] "You are a chick but you are wearing men's clothes." Some of

them react weird and some of them accept, but it takes time. I don't give a f...!'

The focus group participants sometimes disagreed about the best way to challenge discrimination, with some believing that it is better to conform to gender norms in order to access employment.

Bongiwe: 'My advice to you is that when you butches go to an interview, you must dress like a lady.'

T-man: 'No! No! No! I can't pretend. I was born lesbian and I will die lesbian. Even my mother and father died knowing that I'm lesbian. Why must I pretend? People can see from my work that I'm not a lady ... Imagine me in a dress! They will see my movements and will question it. I cannot change my sexuality for a job. Let South Africa and the Constitution push for LGBT people to be hired based on their experience, level of education and qualifications.'

The issue of when and how to come out was an important talking point. Participants were aware of the potential consequences, which can range from harassment and the restricting of job duties, through to threats of and actual violence. The comment below was shared at the Limpopo dialogue.

'Dressing up in order to get a job does not mean you are weak. I just think that it's easier to fight the system from within. If you need a job, you will do anything to get it. I think that as LGBT people we need a strategy. We can dress up for the interview and only disclose who we are after a few months of employment.'

T-man shared the experience of a friend who has struggled to hold down a job because of her butch gender presentation. 'Let me tell you something. A friend of mine was hired as a nurse and disclosed after a few months of employment that she is lesbian.

She has worked at more than 10 clinics in the district because she is a butch lesbian. They treat her badly. They don't even select her to attend trainings and workshops. As a result she does not qualify for a promotion.'

Participants reported having to choose between disclosing their identities and thus facing unemployment, or hiding who they are in order to earn a living. This is particularly the case in communities where people know each other, as Phiwe explains:

'My friend said to me: "Please, when you get there, just deny who you are". It is a local organisation. She said that the person I was going to hand in my CV to knows me, knows I'm lesbian, and I just have to deny it. I thought to myself: how do I deny who I am? Is the work based on my sexuality, or is it going to be based on what I am capable of doing? So I decided not to hand in my CV. I am not going to sell myself short for something that is not going to even last forever. What I am is who I am, and this will last for the rest of my life.'

Participants also reflected on gender stereotypes and societal expectations, and on how certain occupations are considered appropriate for men and appropriate for women. Nkele, for example, shared her experience of being interviewed for a job in the mining sector. Extractive industries not only remain male dominated, they are also considered by many to be a male realm – that is, as unsuitable site for women.

'I went to an interview to be a machine operator at the Lonmin mine in Rustenburg. The position wanted both men and women. I was the only woman who came for the interview. I was appointed and went for a medical check-up and passed it. I only failed the acclimatisation test, but after trying it for three days, I passed.

Men started remarking that I look like a man and that is why I passed. They asked me if I think I will survive underground. They said that it's dark and slippery underground and if you do not have balance you will fall. [They said] only men can survive underground; this work is for men. I think they didn't know that I am lesbian. After signing the contract, I broke my leg and had to go back home. I ended up losing my job. I spent four months recovering, but sent in all the medical reports. When I went back, my post had vanished.'

Despite qualifying for the job, Nkele experienced the kind of discrimination that many women encounter when entering a male-dominated industry. But there was a second level of discrimination here because she was perceived to dress like a man. Nkele tried to gain support from the workers' organisation but instead experienced secondary victimisation.

'I think unions can assist in helping workers and the community to accept LGBT people. Unions need to be LGBT friendly and to treat seriously every reported incident. The National Union of Mineworkers (NUM) officer dragged my case; I phoned and phoned and then decided to pay him a visit. When I got there, he asked me if I was lesbian in a room full of men. They all looked at me; I was humiliated.'

Gender-based violence is endemic in South Africa, and many women struggle to access services or to assert their basic rights. Lesbian, bisexual and gender-nonconforming women face two intersecting forms of oppression: firstly, because of their sex; secondly, because of their sexual orientation or gender-nonconformance. For this reason, lesbian, bisexual and gender-nonconforming workers face unique challenges on top



of those they share with other women. Lesbianism and gender-nonconformance, for instance, are sometimes linked in people's minds to predatory behaviours or sexual deviancy, and this misconception can be used as a weapon against lesbian, bisexual and gender-nonconforming workers.

As T-man explains, openly LGBT workers can sometimes be accused of misconduct simply because of their sexual orientation. 'People didn't accept me because they thought that I was going to rape them. When we went to workshops, I used to sleep alone as no-one wanted to share [a room] with me ... Some participants went to an extent of claiming that I had raped them. This discrimination continued until I decided to challenge it. They will accuse you of touching a colleague inappropriately and you will be fired because people think that homosexuals want to rape every same-sex person they come across ... These people are homophobic and they have tricks.'

The 'tricks' T-man speaks about are often linked to common stereotypes about lesbianism: that lesbians are women imitating men, are sexual deviants, cannot have healthy relationships, that they cannot control their sexual urges and so on.

### RESPONSES TO DISCRIMINATION

The participant accounts reveal the strong influence of stereotypes and cultural norms on work environments. Many noted how these social factors sustain homophobia and transphobia, and make it difficult for lesbian, bisexual and gender-nonconforming women to undertake their work duties. However, some women felt their personality traits helped them to overcome tensions and to become more accepted by colleagues.

Ella, for instance, feels that her positive demeanour has been an

advantage for her. 'Everyone says to me "Hola!" - even the manager. Maybe I am friendly, or talk too much. I have been working there for eight years. In the beginning some of them were scared about getting to know me. I gave them a positive reaction and ... they found that I was open.'

Mamkete works as a supervisor in a cleaning company. She reports experiencing sexism and homophobia, but feels she is able to overcome these by acting as a positive role model. She explains here how her strengths as a supervisor, her warm personality and her spirituality have helped her to cultivate a supportive and accepting environment.

'The challenge I have is usually with the new males who are recruited. They become very stubborn in the beginning and refuse to take instructions from me because I'm a woman. Some of them even make a point of reminding me that I'm not a man and that I must stop behaving like one. I do not report them because the grievance process takes too long, but I gently educate them. In short, I make them my project. Men also have a tendency to think that if they treat you nicely or propose love, you will change and become straight.'

'The other challenge I have is that when I fight or quarrel with my colleagues, they sometimes call me a stabane. I do not allow this to get to me because this only happens when we fight. As a person who grew up with siblings, I know that this always happens in a fight. Some of them apologise afterwards. When they say stabane, my response is "proudly so, my dear!" My spirituality has taught me that forgiveness is an important part of building any relationship.'

For Mamkete, being open and honest about her life is the best way to confront prejudice in her team:

'Because I'm open, people find it easy to accept me. When they speak about their families on Mondays, I also tell them about my partner. When I keep quite or stay out of the discussion, they worry. Most of my colleagues ask me to help them when a relative discloses their sexual orientation. I really do not have a problem at work. Everyone knows that I'm lesbian, and after attending my first Pride this year, I brought pictures and shared them with the team. I am very jolly and outspoken ... I do not play victim. When it's time to work, I work; when it's time to party, I party; when it's time to pray, I pray. So who can hate me? I don't hide behind my sexual orientation.'

Nonkululeko works in the male-dominated chemical industry and ascribes the lack of discrimination she has experienced to her 'strong personality'. However, she knows of other LGBT people who are not so fortunate. 'As time goes by people start accepting me. I have a strong personality and stand my ground. I have not experienced much discrimination at work, not like as a child being called names ... I have found a group of older men who accept me. They say: "You like women, we like women - you are one of us!" I say: "No, I am not one of you." But they were very welcoming towards me.'

'A former gay male colleague of mine was harassed. I did not spend much time with him, but afterwards when we met up - he had moved to a different company - he said he was being harassed but decided to bottle it up. Sometimes I think it is easier to be lesbian in a male-dominated environment than to be gay, which is associated with femininity. We work with chemicals and at the end of each shift we shower. In the showers, he was called stabane, but he kept quiet and left. He kept quiet and decided that this was not for him.'

For both Mamkete and Nonkululeko, having a strong personality and being open about their identity has helped them fight discrimination, but it must be noted that both women, as supervisors, have a level of authority.

Some participants also spoke about how they have used activism to bring about change in their workplaces. Phiwe and Nonkululeko are both trade union activists and have worked hard to educate their comrades in the workers' movement. Phiwe reflects on how it can be possible to alter perceptions within a workplace.

'Start with co-workers and officials ... I would work my way up. I had a year plan that I would include LGBT [rights] and I would have workshops with the unemployed, the cleaners and everybody, including the community.'

Nonkululeko also proposed starting with the lower levels of leadership and working upwards. She believes such a process is about empowering people with knowledge.

'Start with the lower level of leadership, the members and the gender activists. Once we have the foundation right, the gender activists need knowledge. People are ignorant, and with uneducated people what they do not know does not exist. If we empower people with knowledge, people will be free to act. We do not have a manual to prescribe our lives: whatever works for you is fine. Practise tolerance.'

### MANAGEMENT EXPERIENCES

The study participants acknowledged that sometimes difficult decisions have to be made by managers. Jabu, a health-care manager, explains the negative community reaction she encountered after hiring a gay man.

'Some years ago I facilitated some interviews and I appointed

an LGBT person to be a community health-care worker ... Now, what happened after appointing this person [is that] the community rejected him. Suddenly the programme was no longer effective. My targets were no longer effective. In the next year, when I was doing appointments, there was another LGBT person who was shortlisted. He had potential, but I decided on my own that he is not getting the opportunity because my targets would be affected. I was rated as underperforming because this person is not being accepted into the kinds of households he was working in. So this was the kind of dilemma that I was put in, and it was a reality that I had to face at that time.'

In this case, community attitudes and religious beliefs made it difficult for the employee to do his job. 'LGBT people do not even get hired [in the health-care industry]. There are patients who need to be washed, to be bathed and dressed, and they reject an LGBT employee. So you, as the project manager, find that there are a whole lot of people who want to be employed, but you cannot hire them because they will not be able to work in the community ... In most communities they will say, "Why should we have this when we do not even have gays and lesbians in our community?" When you explain [that the community has] people with different sexualities, they will say, "We are all Christians so there is no need to speak about gender equity or to even speak about sexuality in this space".'

Entrenched norms can make it difficult for people to accept diversity or to adjust work practices. Multiple participants reported colleagues or managers saying 'This is just the way that things are done!' Such statements can be used to

foreclose discussions about gender stereotyping or to avoid responsibilities in relation to combating discrimination. Winnie, a heterosexual manager at an investment company, feels that this will only change with greater visibility of LGBT employees. Here she shares a story about a gender-nonconforming colleague.

'My experience in Pretoria is with a lesbian who presents as a man, wearing expensive clothes - Pringle or Crockett & Jones - and you forgot that this is not a man. She was proud to introduce the girlfriend and she spoke about "my wife". You got interested in her life, in who she is, because she embraces who she is, she talks, walks and dresses like a man. She would be a beautiful man. I learnt to respect that she was not worried about what people said about her. She is being who she is regardless of anything. People will embrace what you believe in, and if you are doubtful others will be doubtful.'

Yet Winnie's suggestion that LGBT workers need to be more open and proud is at odds with Jabu's observation that being open can prevent LGBT workers from doing their jobs. This may be due to sectoral differences - for instance, openness may be more difficult in the health-care industry than in finance. Winnie's comment also highlights an interesting paradox: without proper support from colleagues and managers, LGBT employees are unlikely to come out; but support and policy reform will only take place once LGBT employees have come out. <sup>18</sup>

*This article is taken from a longer report titled 'Are our workplaces safe and supportive? Real-life experiences of lesbian, bisexual and gender-nonconforming women', by Nina Benjamin, Nosipho Twala and Finn Reygan.*



# Unlocking labour laws

## Is it CV fraud?

**H**onesty is the best policy – except, it seems, when it comes to your CV and that coveted job you're after. The recent spate of high-profile CV fraud cases in the media has highlighted the degree of subjectivity around what constitutes a lie and ultimately qualifications fraud.

Greg Brown, director of Governance, Risk & Compliance at LexisNexis South Africa said fraud cases were not always as straightforward and as clear cut as they may seem.

'A lie doesn't necessarily have to be an outright false statement. Omissions can be just as dishonest. And if an employee did lie, how their employer responded to it is often just as important in upholding the integrity of the organisation,' he said.

'An employer has a responsibility to carry out proper checks and balances before offering employment. But applicants should also not be mistaken: if you misrepresent information on your CV it is lying, it is fraud – and most importantly, it is illegal,' advised Brown.

### COMMON MISREPRESENTATIONS

Brown said the most common CV misrepresentations, according to Refcheck Advanced data, are found in the education section of the CV.

Common embellishments include non-existent matric certificates, inflated education, unfinished degrees and even fake degree certificates.

Refcheck Advanced data showed that in 2014 a quarter of all matric certificates checked through this online verification tool could not be confirmed and there was no record of the candidates having matriculated. One in 15 tertiary qualifications could not be confirmed due to invalid data, incomplete courses or no record of a candidate. A third of all global qualifications checked through Refcheck Advanced could not be verified.

Other misrepresentations include fake employment certificates, providing incorrect past roles and responsibilities, inflated job titles, not disclosing criminal records, providing false reasons for changing jobs and inflating previous salary figures.

'There are instances where one might feel that it is acceptable to get a little creative with their CV because they feel they can actually do the job. They feel they should not be discounted because their skills are still on par with others who have the paperwork in place,' says Brown.

### SERIOUS CONSEQUENCES

'But while an untruth or omission about your academic or professional qualifications may seem innocuous in the grand scheme of things, it's a high risk strategy that can backfire badly,' cautions Brown.

Individuals often have to create more lies to cover the initial one, as co-workers ask questions about their background and they have to perpetuate the false information.

There is also a chance they would have difficulty meeting the expectations set out in the new position if they are not adequately qualified or experienced.

'There's no getting away from the fact that people in South Africa are applying for and getting jobs that they aren't qualified for, at the expense of those who are,' says Brown.

This becomes even more prevalent the further away from graduation you get. Recruiters assume previous employers would have made the checks and that experience and skills, as demonstrated by an exemplary work track record, carry more weight.

'The employee/employer relationship is one that's built upon trust and from an employer's point of view it can be seen as a serious character flaw if an employee lied about something small. The employer may also seek out more information at a later date, especially if they feel the employee is not meeting expectations,' notes Brown.

He adds: 'A simple lie could have career-long reputational consequences. You can pretty much wave your employment references goodbye if you're found to have provided false information on your CV. Employees who have lied on their CV also generally have no legal recourse against their former employers.'<sup>1B</sup>

*This article is from a media release by LexisNexis® Legal & Professional.*

# Safpu scoring own goals on gender

Despite 21 years into democracy gender inequality within soccer is unresolved and it's worse in women soccer. One would have thought it will be better in the footballers union, the South African Football Players Union (Safpu), but that is not the case, writes **David Bogopa**.

According to the *Gender Policy Framework for Local Government* document, gender equality, gender equity and women empowerment are outcomes of effective gender mainstreaming and intervention which unfortunately is not happening.

Gender inequality in soccer is not only a South African problem. According to Bodey the inequality in soccer within the Moroccan context is also shown by a few women within the Morocco Football Association particularly at the executive level. In a study Bodey argued that sport has traditionally been considered a man's preserve. Men owned, organised, coached, competed and watched the sport to the exclusion of women. Religious, medical and societal beliefs demoted women to their homes as wives and mothers. Cultural expectations in many communities about appropriate feminine behaviour and gender-bound roles have curtailed women's active participation in sport for a long period.

Sharing the same sentiments regarding gender inequality, Naidoo and Muholi also contributed to research on gender relations in soccer focussing on the South African Women National Soccer team also known as Banyana Banyana. Naidoo and Muholi

interviewed key women soccer players and coaches. The research discovered that women were still not fairly represented in South African soccer structures. For example, a former South African Women National Soccer coach complained about sexual harassment incidents where some members of the male technical team were sexually involved with female soccer players.

Mennesson discovered that power relations in soccer in France still favoured males. Women in soccer were marginalised as men had power and control of the sport. Female managers were relegated to the women's committee with fewer means at their disposal to advance women soccer in a meaningful manner. What is also worrying is that in national leagues were rules which clearly stipulate a feminine bodily appearance for female players. Some of the male managers of women's soccer were known to have waged a moral crusade designed to marginalise or exclude homosexual players from their teams.

In the research that I carried out in the Gauteng province's township schools I discovered that South African township schools were still grappling with cultural stereotypes regarding who is entitled to play soccer. The majority of male learners and educators still have the

perception that soccer belongs to boys and men.

Ogunniyi in her study of the perceptions of the African Women's Championship which was held shortly after the much talked-about 2010 FIFA Men's World Cup in South Africa, concluded that the men's tournament received a huge media coverage even six months prior to the start of the tournament. During the tournament a large contingent of soccer journalists and commentators converged in South Africa to report to the world about the tournament.

However, few months after the 2010 FIFA Men's World Cup, the African Women's Championship started and the media coverage was less as compared to the men's FIFA World Cup. The majority of soccer loving people and the general public were not even aware that there was an important women soccer tournament taking place at that time.

Ogunniyi argued that although there are sports policy documents in place addressing issues of gender inequality in soccer, however, women soccer continue to be marginalised. Women are still grappling with issues such as media coverage and enough competitive soccer competitions both at local and national levels.

Interviews with 10 female footballers were conducted in

**Gender inequality within Safpu is currently of great concern. The executive committee of the union as shown on its website is only made up of an all-male team of former Premier Soccer League members yet soccer is played by both males and females. Over the years, there is a lack of transformation and diversity within the executive structure of the union.**

Johannesburg and Cape Town as well as with their family members. Some of the issues raised included sexual stereotypes where members of the teams were labelled as lesbians.

### **MARXIST FEMINIST THINKING**

To understand issues of gender inequality in soccer, scholars mentioned in this article used the Marxist Feminist theoretical approach. The themes that emerged from this approach clearly point to two directions: gender as biologically constructed and gender as socially and culturally constructed.

Birrell used the theory to explain gender relations within the context of sport in general but without focusing on a specific country and argues that in terms of the Marxist feminist theory, there is an assumption that women are oppressed within patriarchal cultures. Sport is seen as a gendered activity: it not only welcomes boys and men more enthusiastically than girls and women but also serves as a platform for celebrating skills and values marked as masculine. Sport in many patriarchal societies is referred to as a 'male preserve', hence sport is seen to be a logical site for analysis of gender relationships.

Further, Strathern argued that whether women are publicly valued or privately secluded, whether they control politics and economic activities, societies cannot begin to understand why and how women in many societies have been relegated to secondary status without recognising the contributions made by women in both politics and economic activities.

Pelak's research looks at how South African women soccer players have previously negotiated material and ideological barriers and constructed new sporting identities. Pelak used a Marxist Feminist Anthropological framework to understand the micro-level experiences of competitive soccer athletes within the macro-level structures in South Africa which continued to be shaped by the legacies of apartheid and colonialism. The research was based at the South African Football Association headquarters in Johannesburg as well as the Western Cape Province in Cape Town. She conducted semi-structured interviews among seven soccer players and eleven soccer administrators in the two cities. She concluded that South African soccer was divided along gender lines. For example, men and boys dominated soccer while women and girls continued to be marginalised.

The South African media also ignored matches such as the one between Nigeria and South African Women national soccer teams.

### **RECOMMENDATIONS**

Gender inequality within Safpu is currently of great concern. The executive committee of the union as shown on its website is only made up of an all-male team of former Premier Soccer League members yet soccer is played by both males and females. Over the years, there is a lack of transformation and diversity within the executive structure of the union.

Further, the constitution of Safpu is missing from the website and this makes it difficult for one to understand how various

structures are supposed to operate within Safpu. Diversity is also lacking within the Safpu executive structure as there are no white or coloured members. Young members are also excluded from occupying leadership roles.

That being the case this situation can be addressed by transforming the gender representation and changing the union's complexion in its next elections by introducing female members to its executive committee. This can be achieved by recruiting the current crop of female professional players as well as those who have retired who can make a meaningful contribution for the development of soccer including the protection of soccer players' rights.

Further, a leadership succession and development plan within Safpu is greatly needed taking into consideration that at some stage the current leadership must step down and new blood introduced.

The issue of diversity need to be addressed by including white and coloured soccer players within the PSL as well as former players.

The constitution of Safpu can also be made available online to public scrutiny and for researchers to understand how the footballers operates.

It is highly recommended that Safpu must organise workshops on gender relations with the view of addressing the current scenario. Why is the union is male dominated? <sup>18</sup>

*David Bogopa is a researcher base at the Nelson Mandela Metropolitan University in Port Elizabeth.*

# Numsa and skills development policies

The irony of the discussions and debates on neo-liberal skills policies is that the prevailing policies of the state, criticised as being neoliberal, were actually conceptualised and won within a radical socialist trade union – that of the National Union of Metalworkers of South Africa (Numsa), writes **Siphelo Ngcwangu**.

**B**efore its expulsion, Numsa has been the leading union amongst the Congress of South African Trade Unions (Cosatu) affiliates which has championed the struggle for empowering workers with mid-level skills through artisanal training and Sector Education and Training Authority (Seta) aligned technical training. The labour movement was part of deliberations to envision a post-apartheid skills development dispensation since the mid-1980s and embarked on various projects and programmes such as the Industrial Strategy Project (ISP), Economic Trends Research Group (ET) of Cosatu, Participatory Research Programmes (PRP) and Research and Development Groups (RDGs) which sought to articulate a vision for industrial, economic as well as skills training policies in a democratic South Africa.

According to Karl Von Holdt the aim of Numsa's multi-year bargaining strategy linking grading, training and wages was that 'workers would have a clearer career path up the grading ladder based on acquiring new skills through training. Wage gaps and levels would be narrowed and determined by the workers' skills.

Restructuring would be based on more skilled work and higher value added as the workforce became more skilled. The shift away from narrow job demarcation would open the way for flexibility and team-work based on multi-skilling'. This approach gave rise to many challenges including the fact that so-called multi-skilling actually became a strategy which capital used to implement retrenchments by claiming to 'multi-skill' workers when in fact the strategy was to reduce the number of employed workers.

## NUMSA'S ROLE

When I interviewed some current and former Numsa leaders who were involved in training I found that there was also a concern that skills based grading undermines worker solidarity. Paul Kgobe also raises an important question when he states that: 'South Africa's workplaces are not constructed on the basis of a skills and knowledge hierarchy. They are made up of a large, relatively homogenous group of workers with roughly equivalent skills and a small group of more skilled jobs. What sense does a skills-based career path have in this context?'

Numsa expanded the work of the RDGs on education and training to include a component of international consultation. By the early 1990s Numsa had already drawn international experts from Australia, such as Chris Lloyd and Alistair Machin, into the policy making process to assist in spreading ideas about skills, knowledge and career paths within Numsa and the broader trade union movement in South Africa. Policies such as Outcomes Based Education (OBE) and the National Qualifications Framework (NQF) which have underpinned the skills training policy of the present government were largely influenced by these processes of policy development.

Radical alternatives such as those that argued for comprehensive literacy and numeracy programmes linked to Recognition of Prior Learning (RPL) were defeated and in their stead skills-based career pathing was prioritised to accentuate the ostensible relationship between skills acquisition and productivity. Kgobe argued that: 'The skills-based grading system creates a complex training regime at the top while leaving the base largely underdeveloped and confused. This





*Numsa marches against corruption.*

**Following these policies the former trade union intellectuals moved from being policy thinkers to policy actors within the state thereby playing a crucial role in the implementation of policies generally viewed as neoliberal in orientation.**

is one of the criticisms that has been levelled at the Australian training system. You end up with complex, paper castles in the sky and very little actually happening on the ground’.

Following these policies the former trade union intellectuals moved from being policy thinkers to policy actors within the state thereby playing a crucial role in the implementation of policies generally viewed as neoliberal in orientation. An internal vacuum of knowledge about skills and other policies within Numsa was created when most of the leaders went into

government during the mid-1990s. Once these intellectuals entered the state they combined with technical experts within the state system and consultants to consolidate the implementation of neoliberal skills policies.

Skills and technology are integral to the neo-liberal offensive which results in workplace restructuring and ultimately retrenchments. Mondli Hlatshwayo shows that Numsa has been weak in developing proactive responses to technological changes at the workplace and that the focus has been more on bargaining and wages rather than

comprehensively responding to technological changes. Numsa has been focused more on its representational role within bureaucratic structures such as Setas rather than reviewing the theoretical and ideological basis on which its input into the skills development debate is premised.<sup>18</sup>

*Siphelo Ngcwangu is a researcher at the Centre for Researching Education and Labour at the University of the Witwatersrand. This article was first published in the Post-School Education Review, Issue 1, July 2014.*



# About EPC

## Transforming education in SA

**The Education Policy Consortium (EPC)** is a group of progressive research organisations with a history of collective policy development, analysis and research as well as public policy dialogue in the area of education and training.

**E**PC consists of the Centre for Integrated Post-School Education and Training (CIPSET) of the Nelson Mandela Metropolitan University (NMMU), the Centre for Education Rights and Transformation (CERT) of the University of Johannesburg (UJ), the Nelson Mandela Institute for Education and Rural Development (NMI) of the University of Fort Hare, the Centre for Researching Education and Labour (REAL) of the University of the Witwatersrand, and the Independent Centre for Policy Development (ICPD).

The current members of the EPC have been reconstituted since their early origins as the Education Policy Units established in the late 1980s/early 1990s. That history is very important insofar as it points to established professional relationships within a group of progressive research organisations with a history of collective policy development, analysis and research as well as public policy dialogue in the area of education and training. The capacity of the consortium includes its ability to complement each other's work across a range of specialisations, a growing network of organisations and associates at a number of universities, expanding local and international networks in related areas of specialisation, and a core of established researchers who

have worked with government over an extended period of time.

The purpose of the EPC's research programme in the post-school sector is to inform, further build and support the national capacity for critical research, engagement and public participation in the processes that are necessary to inform policy and provide possible alternative policy approaches and implementation strategies for the reconfiguration of the post-schooling sector, as well as to support the Department of Higher Education and Training (DHET) in building a more integrated, coherent and articulated post-school education and training system to serve South African society.

### OBJECTIVES

The EPC programme has three broad objectives:

- **Capacity development**  
To contribute to expanding and enhancing the research capacity to undertake critical, progressive research into the post-schooling sector by including university-based researchers, to support the establishment of the CIPSET, to increase the EPC's capacity to sustain critical research into the post-school sector over the long-term, and to increase the pool of researchers (through a

range of research internships as well as more formal masters and doctoral fellowships).

- **Deepened understanding of the post-school sector through research**

Through a wide range of research projects that focus on public post-school institutions, to better understand the post-school sector from the perspective of inter alia youth, adults and communities, the working class and the poor, and to be able to posit alternative conceptual, theoretical, methodological, policy and implementation approaches for post-schooling, its sub-sectors and cross-cutting issues such as articulation and integration through good quality research.

- **Research dissemination**

To create a community of practice through this programme that includes collaborative research processes and sharing of knowledge and research findings through a diversity of publications and regular fora that will encourage debate within and between the post-school research and development community, post-schooling practitioners, post-school institutions and statutory bodies, policy-makers, and a wider range of community stakeholders.

The development of an 'alternative' discourse framing the post-school education and training sector – the focus of this research programme – is informed by sound and rigorous multidisciplinary research and policy analysis, through a critical examination of the implications for education and training of the present economic and employment framework and approach, and will attempt to provide alternatives based on a deep analysis, imagining and modelling of the political economy of South Africa.

### PROGRESSIVE APPROACH TO RESEARCH

The EPC's approach to research will be characterised by several attributes which define and conceptualise what may be regarded as politically progressive research. Such an approach to research is predicated on the idea that social policy and its implementation should support the progressive outcomes referred to in the national Constitution of South Africa and seek especially to transform its education and training system by dealing decisively with the legacies of apartheid and strengthening the foundations for a democratic state and society. Below we explain the elements of such an approach to provide concrete insights into the content of such an approach and to distinguish it from the dominant approaches now existing in much research about social policy both in South Africa and globally.

#### *Key elements of the approach*

##### **(a) Issues of national**

**importance:** Issues of national importance to the education and training system can be examined by probing the role of institutions in supporting the policy outcomes, examine and analyse the contextual, definitional, and vision related goals of education and training

policy, critique the focuses and choices implied in education and training policy and the assumptions which inform these and the activities and actions of government in relation to such choices together with their effects and impact.

##### **(b) Complementary disciplinary approaches:**

The EPC will bring a wider range of disciplinary perspectives than is usual in the examination of education and training policy and practice. In effect this means that it will strive to examine the relationship between the political and economic assumptions underlying policy and its socio-cultural effects so that a deeper understanding of policy and practice is obtained. In this way the EPC's approach will strive to integrate the perspectives of social scientists from a range of disciplines in addressing socially relevant questions relating to education and training. We understand too that social policy research, while it draws on basic research and its theoretical foundations, is essentially about statecraft, the prescripts of state, (and other policy-making bodies) the activities of a government in areas within its jurisdiction and, as we would argue, about the nature of power relations and their effects on the ideological and conceptual proclivities of policy and decision-makers.

##### **(c) Relational approach – education, politics and socio-economics:**

In countries that are categorised as 'developing countries' in particular, education policy research should be approached by reference to the relationship between education and other social issues more generally – the analytical framework must in some senses be synonymous

with the political economy of democracy, development and the 'national question'. Hence a broader canvass of analytical categories, derived from state and society impacted upon by global political, economic and ideological systems – and not limited to educational or labour market issues alone – produces a deeper, fuller, more textured and qualitatively thoughtful view of the issues affecting education.

##### **(d) Transcending consultancy approaches:**

The EPC's approach will transcend the limitations of consultancy research reports by probing more deeply into the issues concerning policy intervention and its relationship to social action. Consultancy work is often driven by the demands of immediacy, is not given to detailed analysis of the theoretical assumptions on which it is based, or a clear theorisation of the research issues. It is often empirically weak, superficial and perfunctory and does not proceed beyond document analysis. It does not provide comparative analysis nor does it evince knowledge of the literature on the subject. In addition client-driven research is invariably strongly influenced by the ideological and practical agendas of the agency which funds such research.

##### **(e) Complementary research**

**methods:** The EPC's orientation to scholarship through research also raises important questions about the relationship between research and its methodologies because of the dangers of 'objectifying' communities through 'objective' research. For instance, policy analysts have come to increasingly understand the value of ethnographic approaches to research, to satisfy the criteria



*Explaining the bigger picture: Enver Motala at the EPC Dialogue in Port Elizabeth.*

of 'non objectification', to understand subjectivities and to integrate the methodologies of enquiry in mutually enriching ways.

- (f) Socially engaged research and dissemination:** The use of a range of methodological approaches is essential to the authentication and validation of data and in addition to use the experiences of those communities for thinking about the potential solutions to their educational challenges. The necessity to engage and to construct methodologies for such engagement also leads to many questions about the how and what of dissemination. In addition to the production of written work for the research process itself (training and induction of researchers, to clarify the objectives of the research for relevant communities) there can be a range of writings emanating directly as a result of the research.
- (g) Fundamental and applied knowledge:** The EPC's research will seek to probe issues which have social

application and value. Such research may not directly seek, in the first place, to answer more 'fundamental, blue sky' or philosophical issues in the style of such 'fundamental' research. This is because its concerns are in the domain of the formulation and application of policy-related research. Yet, the impact of such research would be to provide insights into the issues which can be probed more fundamentally and philosophically without reference to its immediate use for the application of policy and practice.

- (h) Conventional and transformative approaches to research:** Finally, the practical implication of this approach is that it will seek to understand topical research issues by analysing them more intensely than is the practice with most conventional academic or consultancy driven research. It will also provide deeper and more critical insights of the limitations of particular approaches to social policy in education and training. Conventional approaches to

education and training policy and practice are characterised by the idea that free markets resolve the challenges of education and training because the demand for and the supply of such services are regulated by the behaviour of the market for these.

It is essentially an approach to economics developed in the latter part of the 19th century (and later grafted onto other areas of social study and given to much use of mathematical equations) which argues that the supply and demand for goods and services is related to an individual's rationality and the search by such individuals for ways to maximise their gains. This approach to economics now exercises considerable influence in the study of 'development' and is in academic discourse, despite the substantial body of critique which it has spawned criticising, in particular its unfounded assumptions about individual and social choice and its avoidance of deeply structural and institutional issues. In essence, research which has no orientation to the dominance in the globe of the role of unfettered free markets mask the complex array of structural, institutional, individual and social issues which face policy-makers in developing societies. For the EPC a critical understanding of the wider conditions affecting policy and practice is essential to good research and in support of effective policy and practice. Good policy research and analysis is not possible without this.

By implication it will therefore also provide pointers to the efficacy of particular approaches to policy and its practical implementation. In effect it will therefore provide a critical lens to understanding the limits of particular approaches to policy and the hegemonic power of the prescriptive policy and practice – approaches which are powerfully dominant in national systems and globally. <sup>LB</sup>

# Voices on post-school education and training

## Views from New Brighton

Learning about community experiences at school and how the community understands skills and post-school education and training (PSET) builds on our knowledge of diverse social issues such as unemployment, writes **Olwam Mnqwazi**.

**T**he Centre for Integrated Post-School Education and Training (CIPSET) based at the Nelson Mandela Metropolitan University (NMMU) conducted a workshop with Vezokuhle Youth Development Project in New Brighton township, Port Elizabeth. CIPSET is part of the continuing research work carried out by the Education Policy Consortium (EPC) of which it is one of five member centres.

Although Vezokuhle was asked to bring a group of young people who had passed Grade 9 or Grade 12 and were not working or those with incomplete tertiary qualifications who might also be looking for a job, they brought a group that was quite diverse in age. The age ranged from 20 years to individuals approaching their 60s. This was unexpected but with the benefit of hindsight, all of these individuals had had their own experience with education and training and they all had some imagination of what PSET should be like, especially considering their own past. At least everyone had some idea and hope of what their lives could have been if they had access and success in PSET. Perhaps

CIPSET in many ways deepened the discussion that took place at the Vaal University of Technology on post-schooling which, among other questions, sought to answer the following, as captured by Johnson:

‘The Big Question is: What is the role of education? Or what is the purpose of education? These kinds of questions tend to be focused on the kind of society the post-schooling education system is aiming to support.’

This article is an account of the discussion that took place in the location where these community members are based, setting out their view on the purpose of education, their understanding of PSET and their thoughts on why there is so much unemployment in New Brighton and South Africa.

New Brighton is one of many townships around Port Elizabeth, now renamed Nelson Mandela Bay Municipality, which includes Uitenhage and Dispatch. It is also known as New Bright or Blawa, and is surrounded by multinational companies mainly involved in the automotive industry, like General Motors, Continental Tyre, and Ford Motors which are based in Deal

Party and an area called Straundale which borders Blawa on different sides. Many other companies feed these giant companies including the Volkswagen plant in Uitenhage, a mere 20 minutes away. Other big corporations within a 5km radius include big names such as Aspen, Coca Cola, Fortune, Eveready, and Kraft Foods.

With all the companies mentioned, which are but a fraction of the whole list of big businesses in PE, one would be forgiven for thinking of unemployment as a thing of the past for these communities. According to StatsSA, Nelson Mandela Bay (NMB) has a population of 1.1-million of the 6.6-million people in the Eastern Cape. NMB's unemployment rate is 36.6% and only 42.7% of the employed people are youth. Only 12% of those over 20 managed to complete a higher education qualification and only 30.5% passed matric.

### WORKSHOP SETUP

A group consisting of 24 members from Vezokuhle was invited to participate in an open discussion about the purpose of education and their experiences with the



education system. The discussions sought to discover, from these views, new ways of thinking about the post-schooling sector as it is informed by matters arising from the locals. Although the invitation was for young people (15 to 35), the attendees were an even distribution from 19 to 55 years

and across sexes. Three groups of eight were formed and each of these was given paper and markers to answer questions and to draw their responses. The responses were captured without grammar corrections so as to capture the original views. The responses that were given for the questions asked

are seen in the table below. The questions were:

1. What is the purpose of education?
2. What attributes and characteristics are desired from graduates of PSET?
3. Why are young people unemployed?

**Results**

This table gives some perspectives about what education should be able to do for the people. The responses are typed verbatim from the papers that they were written on without corrections.

Group 1	Group 2	Group 3
<ul style="list-style-type: none"> <li>• We as the team believe that there is no need for one to study for a three year diploma, one must just study for six months and get skills.</li> <li>• We believe that not all the time education is the key to success, because in some cases we don't get employed because they say you are over qualified if you get educated well.</li> <li>• Being well educated sometimes does not work well in our favour because the people in high places do not follow protocol they employ their family and close friends, so we the educated people don't get jobs cause of their problems.</li> <li>• If education is still the same, like in the 1980s or 1990s we believe our country would be a better place and the youth would be more interested in education to get better jobs.</li> </ul>	<ul style="list-style-type: none"> <li>• Education is to empower yourself</li> <li>• It is about acknowledging yourself</li> <li>• To open doors for us</li> <li>• It's about hope</li> <li>• It is an exploitation to human dignity</li> <li>• It's a dream</li> </ul> <p><b>What has it done for me?</b></p> <ul style="list-style-type: none"> <li>• It has made me poorer</li> <li>• Made me hatred, anger, jealous, greedy, etc.</li> <li>• There is no use for education because the skill I have I taught myself</li> </ul>	<ul style="list-style-type: none"> <li>• To become/live the dream of becoming a priest</li> <li>• Knowledge/understand worldly things</li> <li>• Education is not just formal schooling</li> <li>• Be aware of our surroundings</li> <li>• Be able to express ourselves, read, understand</li> <li>• Education has been around for years</li> <li>• Education should not be aimed at secular or formal education</li> <li>• Education purpose is to teach people no matter how old, to learn how to do things</li> </ul>

**PURPOSE OF EDUCATION**

The purpose of the exercise was to establish how they viewed or experienced the schooling system and PSET hence not a lot of time was spent on in-depth analysis of their experiences. This is even more important as it reflected on how young people are starting to dislike or even blame education for their misfortunes in life. Education seems to symbolise broken promises and failed lives for the community as they have to deal with many of

their members sitting without the jobs that were said to be the outcome of being educated. Take for instance what Groups 1 and 2 presented about the purpose of education. The groups seem to agree that education is no longer necessary or reliable to give you a job. Although Group 2 outlines the admirable purposes of education, they don't seem to think it has given them a better life that was promised after they 'got educated'. The tone that is used is 'It has made me poorer';

'made me hate' [resentful], 'angry', 'jealous', 'greedy', etc. 'There is no use for education because the skill I have taught myself' suggests a resentment for the education that people have received. Of course, one would have to spend more time trying to understand what type/quality of education that has been offered to the participants and the length of time they were part of these classes or training.

The Eastern Cape Planning Commission (ECPC)'s manual of the 'Public Incoko on Education'





*Listening carefully: Participants from New Brighton, Port Elizabeth.*

(2013) states, 'Education is a societal responsibility. In its broadest sense, education refers to all the contributions made by society to develop people that are productive individuals, responsible and self-sufficient citizen, and people with a sense of humanity, an appreciation of nature and the capacity to grow and adapt to their environment.' The ECPC has a comprehensive definition of what education is and succinctly captures the humanising aspect and environmental awareness necessary to education. The definition also captures that education should develop productive individuals, and this is where the members of Vezokuhle struggle to reconcile their experiences and expectations with this purpose of education. They see no productive output and contribution that they can bring to the world because of the education they have received.

### POST-SCHOOL EDUCATION AND TRAINING

The workshop also listed various thoughts and expectations of the groups when they were asked to envisage a fully-fledged graduate of PSET without differentiating between its various sectors. The groups captured the characteristics of graduates as people and members of the community who experience real life challenges like losing parents, having to deal with problems in their marriages and even being a 'hustler' (someone who continues to struggle for a living daily). They also make it clear that, as much as these graduates are responsible, mature and more knowledgeable, they also need to have fun and live active social lives where they go out on dates at times. Most importantly, the groups did not show that they were different regardless of whether they came from further education and training

and higher education sectors. For them the attributes of a graduate should resemble most of the characteristics referred to in the table so they could be regarded as educated beings.

Harris tries to compare and contrast the roles and differences between higher education and the vocational education and training in the Australian context, similar to the South African reality. He contrasts higher education as a general form of education that leads to high status jobs whereas vocational education is more focused on skills and work-related training for employment. If things continue as they do in relation to unemployment, South Africa might see more and more frustrated young people who would move from one educational institution to another so they can at the very least receive some kind of income through state bursaries and financial loans to survive.



*Making a point: Youth voices at a workshop.*

### WHY ARE YOUNG PEOPLE NOT EMPLOYED?

As could be expected, varying responses would always emerge when people answer this question. Unsurprisingly some of the respondents blame politicians: 'People have the mindset that because they have voted, automatically they should be employed. How can you be employed with negative attitudes towards life? Education comes in there, it's not about varsity or getting a diploma, it's about the basic skills, learning to adapt or adjust around others.' Others chose the more dominant views such as the argument which refers to a 'scarcity of skills', '... those who occupy positions don't have the qualification ...', 'jobs are scarce!' and the common, poor economy and 'lack of opportunities'. Other views blamed nepotism, jobs being 'sold' by connected people and the youth being lazy.

What is evident in these responses is that people are not unaware of the conditions that induce their unfavourable circumstances but they are simply bound and caught up in a system that is undermining their lives and is not of their own doing. Mainly, the explanations about what causes them not to live their lives as they wish make them see the problems in the dominant media repetitions of how the economy needs to grow at a particular rate in order for workers to be employed. Regardless of this propaganda, people use their tools of analysis to understand what is happening in and around them.

### CONCLUSION

Although this is a short account and reflection of what three focus groups think about the issues around education, PSET and employment, it gives some insight into how the communities explain their lives and experiences. The

communities are asking themselves about the purpose of education and how the economy, despite what they are being told, manages to hold their lives hostage and devoid of the basic freedoms which they should be able to enjoy 21 years into the democratic South Africa. The youth is beginning to show signs of intolerance to the type and quality of education that they are offered throughout their schooling years at the hands of the present body of educators. There are generally good aspirations about what education could do for them but there seems to be a lot that needs to be done – indeed, a lot of restructuring of what is known as 'education and PSET' in South Africa so that the life of the people can improve. <sup>18</sup>

*Olwam Mnqwazi is a researcher at CIPSET. This article was first published in the Post-School Education Review 1(3) July 2015.*

# Two villages, one inspiring experience

Four researchers working on post-schooling go on field research to find out what is happening in post-schooling in the Eastern Cape and they write about communities that are innovative in building alternatives. **Britt Baatjes, Sonya Leurquain-Steyn, Olwam Mnqwazi and Khanyisile Ngalo** write on what inspired them about the communities of Is'baya.

Setting off one Sunday on a nine-hour drive from Port Elizabeth to Port St Johns, we were working on a research project as the Education Policy Consortium (EPC) and our task was to visit the first of 10 South African 'Profiles of Possibility'. These groups/organisations/communities were doing something that could be defined as a 'transition', a 'prefigurative expression', an 'intermediary', and 'pocket of hope' in an increasingly hostile world in which millions struggle to survive largely because traditional forms of employment were becoming a thing of the past. Zizek extends Vilfredo Pareto's 80/20 rule when he states: 'The global economy is tending towards a state in which only 20% of the workforce will do all the necessary work, so that 80% of the population will become basically irrelevant and of no use, potentially unemployed.'

This was the Emerging Voices (EV2) – part of 'Building a progressive network of critical research and public engagement: Towards a democratic post-schooling sector'.

## PROFILES OF POSSIBILITY

Throughout the world there are numerous movements, spaces, groupings, organisations, ideas, learnings, activities, and ways of doing things differently – against the dominant, oppressive system of global corporate capitalism which favours a few at the expense of the majority. These 'possibilities' argue for something new, better, equitable and just. They often do this against all odds – they struggle to survive and constantly bump up against power and domination. Yet, against all of this, they are there – they exist, even if they are marginalised and invisible to many or even to most.

Our research explored these 'profiles of possibility', with a specific focus on the learning that happens there – learning which may not be confined to a classroom or to a day, week or month, or may not happen in a traditional way of 'teacher – expert' and 'student – empty vessel', or may not be prescribed, or may not have formal assessment. Our search

was for learning within a group/organisation/community that is connected to the everyday struggles of people within that group. This kind of learning can hopefully point to something new, better and more meaningful in what has come to be termed the 'post-schooling' sector (the education/training/development that happens 'around' schooling).

Learning that is of interest to us is aptly captured in the following words by Foley. 'For me the most interesting and significant learning occurs informally and incidentally, in people's everyday lives. And some of the most powerful learning occurs as people struggle against oppression, as they struggle to make sense of what is happening to them and to work out ways of doing something about it.'

Our first 'profile', Is'baya, together with the ARC-Institute for Tropical and Subtropical Crops, has worked in the Port St Johns area of the Eastern Cape for 15 years. They currently work on the Uvuselelo (Integrated Village Renewal Programme) with





*Is'baya communities produce fresh fruit: Bellam is one of the farmers.*

55 villages. Uvuselelo is a long-term (five to seven years) holistic model that has to do with self-reliance and is being implemented interactively with organised village communities.

Noqhekwana, the first of two villages we visited, is 10km away from town. This is a misleading measure if gauged by the urban experience. The village is roughly 40 minutes from town (on a non-rainy day) owing to the gravel road, pot holes and the mountainous landscape – the latter being a feature telling of the spatial (and other) divide between rural and urban. The guesthouse owner (where we stayed) knew very little about the villages or what is being farmed there. She told us there is ‘cattle farming, but the youngsters are not interested and are more interested in having cellphones, etc’. We experienced something quite different to her description.

### GRAPPLING WITH ‘POVERTY’ AND ‘POOR’

We were aware of numerous studies showing that as people’s income and consumption rises, their levels of happiness don’t necessarily rise too (see, amongst other, Schumacher’s ‘Small is beautiful’), and we acknowledge that assets within a livelihoods framework focus on what people have (their strengths) – and build on that capital – rather than seeing people as passive victims – and concerns about the inadequacies of traditional measurements of poverty based on income or consumption.

Despite knowing this, we were all still struck by the ‘wealth and richness’ of the farmers – a pride and dignity within themselves, a collegial and cooperative relationship with their neighbours and, indeed, a stunning richness in the blossoming of their trees and plants. None of us felt we were in the presence of ‘poverty’ – except

for the fact that the farmers are lacking in certain basic rights and necessities, like not having easy access to water and not having enough farming implements. Besides these vital missing components (and we do not wish to minimise their importance at all) – there was no sense of starvation or desperation or helplessness or hopelessness – none of the middle-class assumptions or labels of what ‘poverty’ is. The four of us (all middle-class) experienced a tremendous sense of peacefulness, serenity and calmness over the two days. Perhaps for the two researchers who grew up in a similar environment, it felt a bit like home, or for the two of us who did not, it felt a bit like we wished it was. How could we feel envy for people who seemingly have so little when we have so much (or perhaps that is the problem – it is how we define ‘much’)?



There is no alienation of work here as many urbanised workers feel being part of a factory line. Instead there is a deep connection to the land and a sense of harmony and balance within and among it. The children, chickens, chicks and dogs sitting and playing side-by-side are testament to this. We visited the villages at the same time as seasonal farm workers got re-trenched in De Doorns, Western Cape. Lumka Oliphant from the Department of Social Development said:

‘There’s a problem with seasonal workers, where they only get money for a certain period and where they only get food for a certain period. And then they go back to poverty.’

The farmers in Noqhekwana and Qhaka and the other villages grow fruit and vegetables the whole year round and they are working their own land. In this way, they are not part of a capitalist system that can

hire and fire at whim, leaving you ‘working and eating seasonally’.

**AGENCY ROOTED IN STRUGGLE**

We were momentarily carried away to some romantic place for two days, and then rudely re-awakened as we drove away from the villages through towns and cities – re-awakened by the pollution, hooting of cars, people scurrying, and litter lining the streets. According to Patel, this jolt back to reality was a good thing as it reminded us to always be very aware that ‘airbrushing the countryside serves us badly ... To become and remain an idyll, the rural is forgotten, sanitised and shorn of meaning to fit the view from the city’.

This ‘little piece of heaven’ in the rural Eastern Cape is a site of struggle and hardship for those who live in it – carrying water up and

down a mountain is no easy task and we witnessed a few people doing this, including a 10-year-old with her head wrapped to cushion the heavy bucket. While the villages, farmers and the work being done there shows us that something else is indeed possible, we should not romanticise it – a few examples of hope will not change this world but they do show us that another world is possible – it is already emerging. This is an example of agency within struggle.

This example and others like it need to be amplified in order to bring a new world order into being. This requires new thinking, heightened conscientisation, mobilisation, resistance to co-option, and embracing the ethic of social justice. It will be a hard, long struggle against those who care very little for real justice, peace and dignity for all.





## OUR ROLE

What is our role in this struggle? What can we do, as middle-class researchers, who research the so-called 'poor'? Some of the farmers asked us if we can assist with water or with implements. We said that we cannot, even though we wished we could. We did promise to get 'word out there' - to try to do something with the little power we have - our ability to write - to write on behalf of others. We did this remembering the words of Freire:

'No one can be in the world, with the world, and with others and maintain a posture of

neutrality. I cannot be in the world decontextualized, simply observing life.'

We can listen and we can learn, we can be angry and we can stand in solidarity.

One of the farmers gently scolded us (the 'university') for forgetting about rural communities like his - as he said to us: 'ukuba nithi niyunivesithi nyayabuya niza ezilalini, icacile ukuba iyunivesithi isilibele singabantu basezilalini' ('the university is coming back to the rural communities').

We end with reflection poems by Sonya and Olwam on 'poverty'. <sup>18</sup>

*Britt Baatjes (Nelson Mandela Institute (NMI), University of Fort Hare (UFH)), Sonya Leurquain-Steyn (Centre for Integrated Post-School Education and Training (CIPSET), Nelson Mandela Metropolitan University (NMMU)), Olwam Mqwazi (CIPSET, NMMU) and Kbanysile Ngalo (NMI, UFH). At the time of writing this article all were researchers at the above-mentioned institutes.*

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### *Having enough*

Sonya Leurquain-Steyn

A culture of avarice deepens this widening gap  
Between those who have and those who don't  
Desensitises our recognition of gross inequality  
Irrevocably destroying our planet  
Yet this insatiable appetite for more grows  
Seemingly apathetic to the destruction it causes

I sit back and wonder what world we could have  
If everyone was happy with enough  
Because there most definitely is enough for everyone  
Enough food for everyone  
Enough land for everyone to have homes

It's the capitalist system which subliminally feeds our wanton desire for more  
System which thrives on this need for excess  
Can only ever reproduce this growing gap of inequality  
System so ingrained within the fabric of our society  
We barely notice its effects on our everyday choices  
Until we're forced to step back and assess the disastrous state of our world

I imagine a world untainted by the greed of capitalism  
Where people are seen as human beings  
Not as human capital  
A world where enough truly is as good as a feast  
Said Mary Poppins' quoted by Neville Alexander  
A feast that everyone can enjoy



*Fruit is abundant in Is'baya.*

### *Five Days of Hunger*

Olwam Mnqwazi

You know it's bad when there are no hunger-pains anymore  
 Your mouth taste like something between metallic and alkali  
 One is too hungry to tell  
 Your face, belly and thighs start to lose fat from the past few days of no food  
 Arms feel sore just where your skin meets the bones  
 Voice grows faint and it becomes harder to shout as energy is depleting

Today you learn new lessons that help you last longer in tomorrow's battle  
 Lie flat on your bed and move slowly to preserve the little energy left in your blood  
 Be careful not to jump too quickly off the bed  
 Because dizziness and weakness will send you to the floor  
 Stomach growls digesting the saliva that's been collecting in your month  
 You drink water to stay alive  
 It will also make your skin look fresh and hydrated

Human body can take much more beating than three days of starvation  
 With two more days to go before any sign of a good meal  
 My hope is stirred up knowing I have endured this long  
 I realise it's not hunger but poverty that is my enemy  
 Two more days of hunger that I need to withstand

At this moment I put my pen down to save the little energy left in me  
 I lie prostrate, drained on my bed dreaming of a better day  
 Thinking of all the good things in my life, I am comforted  
 Seeing my future screening on my shut eyes, I am consoled  
 Hunger is but for a while then harvest comes

# Reflections on community education

## Dialogues in Bluelilies Bushes

Research in Bluelilies Bushes shows that community education deals with issues of lack of information and knowledge on post-schooling, educational institutions that are far away from the community, and high unemployment. The research also dealt with other social issues like HIV and AIDS, teenage pregnancies, substance abuse, dropping out of school, and the importance of learning in the mother tongue, writes **Sonya Leurquain-Steyn**.

**B**luelilies Bushes is a semi-rural community in the Cacadu district of the Eastern Cape – the largest of the six district municipalities of the province. It is located on the breathtaking Tsitsikamma route where economic activity focuses predominantly on timber, hospitality and tourism. According to local educators there are nine primary schools in the area – none of which extend beyond Grade 9. There are no high schools or Technical and Vocational Education and Training (TVET) colleges in the area. The closest TVET colleges and high schools are in Plettenberg Bay or Uitenhage, approximately 40km and 120km away respectively. Bluelilies Bushes is one example of a semi-rural community with limited access to both formal and non-formal forms of post-school education and training (PSET) programmes. This article reflects on initial dialogues with members of Bluelilies Bushes and highlights the significance of community education programmes for both youth and adults.

Initial engagements with community members in Bluelilies Bushes pointed to a number of issues that concerned them – the greatest of which seemed to be the lack of opportunities and access to further education within their immediate surrounds. In an attempt to bridge the gap between responsive institutions of learning and the communities in which they are established, we held a series of dialogues with members of the Bluelilies Bushes community.

These dialogues were initiated as part of our curiosity and desire to gain a better and much deeper understanding of how semi-rural communities experience the post-school system. These dialogues also form part of our socially-engaged work as a public institution and reflect our hope to develop meaningful, lasting, transparent and honest relationships with communities. We therefore built on prior engagement with community members and educators from Bluelilies Bushes and followed a process of introducing ourselves

and our work. We proceeded by initiating discussions which would help us grow our understanding of the area and its people. We hoped to begin to develop a deeper, more nuanced understanding of the difficulties that these community members are faced with.

Firstly, students expressed their despondency about the post-schooling sector due to a lack of information regarding what is available to them in terms of further education, learning and training. For instance, youth do not have any information about where to apply, how to apply, what courses are available and how to access financial support. Educators at the local school were equally unfamiliar with education and training opportunities available to their students and the unemployed youth and adults in that community.

As part of our conversations we realised that educators were unaware of the National Student Financial Aid Scheme (NSFAS), to which their students were eligible to apply, that applications





Putting a discussion down on paper: Workshop at BlueLillies Bushes.

to both TVET Colleges and NSFAS were obtainable from colleges in Plettenberg Bay and the East-Cape Midlands College in Uitenhage. In addition, educators were often unable to provide students with useful information related to furthering their education. Access to information is constrained by the absence of resources such as computers and the Internet, a poorly-resourced library, limited information from the government departments – such as the Department of Basic Education, the absence of a community newsletter and no contact with TVET colleges or other PSET organisations. Educators from the local school often use their own personal resources, such as cell phones, to access the Internet, often with poor connectivity.

Secondly, students expressed their frustrations at the lack of educational institutions and organisations established within their community and explained how the distances between their community and neighbouring communities in which these organisations are established, for

instance, are a significant barrier. The closest formal institutions are located in George, Uitenhage and Port Elizabeth. Safety concerns and a lack of income further exacerbate their inability to access further education and training. Other community-based forms of education and training for youth are largely non-existent.

There is a Public Adult Learning Centre (PALC) at BlueLillies Bushes Primary School which provides education up to an ABET level 4. The ABET educators expressed their frustration at not knowing what to tell their graduates to do once they had completed the level 4 programme. As a result, graduates have started questioning the value of ABET because even completing the programme doesn't seem to provide them with access to resources – for example access to jobs. This is coupled with their frustration at the lack of formal and non-formal forms of furthering their education within their immediate surrounds.

Thirdly, educators, students and community members alike

spoke emphatically about the high levels of unemployment in the area. Educators estimate that as much as 90% of the community are recipients of social grants – a statistic we were unable to verify officially, but one which is not wholly inconceivable when walking through the community – as witnessed by the large number of adults who have given up looking for employment. Community members expressed their fears and concerns for the youth of the area who wander the streets with nothing to do and nowhere to go and explain how some youth end up participating in criminal activity as a result.

### **SOCIO-ECONOMIC ISSUES**

On the basis of the three issues highlighted above, a number of key concerns have been raised by members of the community and the kinds of socio-economic issues to which community education could respond:

- Substance abuse was highlighted. High levels of alcohol abuse amongst parents is a worrying trend. Educators



recognise its impact on students, their learning – both at school and at home, as well as its detrimental effects on early childhood development. Community members described how alcohol is often perceived as a means of ‘escaping’ their poor living conditions as it, temporarily at least, provided a disconnect from the demotivation they felt. They acknowledged, however, the detrimental effect this had on their health.

- The drop-out rate is also a worrying trend. Working within a structure in which numbers are valued more than the individual students who pass through – educators are often compelled to complete the curricula within a given period of time and students with learning disabilities (or those who learn ‘slower than others’) are often marginalised – this inevitably results in their dropping out of the system – condemned to a life of poverty.
- Teenage pregnancy was also raised as an issue of concern as this unavoidably meant that female learners did not complete their schooling. Very few, if any, return to school due to the stigma attached to their pregnancy. This means they too are ‘trapped’ in the cycle of poverty – unable to find employment without an education within a context where unemployment is already very high.
- The importance of learning through mother tongue was highlighted. Bluelilies Bushes Primary School is the only school in the area which offers classes in isiXhosa – this is a multigrade class as the school only employs one isiXhosa-speaking teacher. IsiXhosa-speaking members of the community expressed their concerns at being taught in

Afrikaans and its impact on learning and progress. Many isiXhosa-speaking students experienced great difficulty in ‘catching up’ and often dropped out of school as they felt alienated and embarrassed. In addition to this, community members recognise that even when some of the learners succeed in ‘catching up’ they are yet again thrust into the same situation upon gaining entry into further education where the medium of instruction is English. The language policy of the school, therefore, creates tension between language groups and reinforces inequality, marginalisation and exclusion.

It becomes strikingly clear what the value of community education in Bluelilies Bushes – and communities such as these – could be, as community education is often regarded as a vehicle that can address a number of general and specific issues affecting communities as observed by Baatjes & Baatjes and Baatjes & Chaka. Education which speaks to the immediate issues affecting communities such as this would help build and develop self-sustaining communities able to respond to the social issues with which they are faced.

Whilst actions that grant the many youth of Bluelilies Bushes access to a secondary school are required, post-school educational options are also necessary. For instance, Bluelilies Bushes might be a good example of a semi-rural community where a community college could provide a meaningful contribution. Given the socio-economic realities of Bluelilies Bushes, a curriculum should be developed which is more responsive to the needs of that community so that youth and adults develop their capabilities and apply these to the benefit of their community and address some of its problems. The acquisition of

technical skills such as in ICT could also be deployed in the service of the community.

Community education within Bluelilies Bushes could speak to issues around the dangers of unprotected sex, pregnancy and HIV and AIDS, alcoholism, drug use/abuse, as well as reflecting on the resources available to the community by members who are skilled in agriculture and farming for example. Bluelilies Bushes is an agriculturally-rich community and food sovereignty could provide for socially useful and productive work. It is important to remember that community education is not just about the personal, social and economic needs of a community, but also about political issues which help develop more critical and active citizens.

Bluelilies Bushes is not the only community which struggles with access to basic resources. There are other examples where community education could play a vital role in starting to address the needs of the community, where the post-schooling sector could start pointing to alternative forms of education, the content of which is more acutely aware of its context and responsive to the needs of the communities it is meant to serve.

EV2 research project was conducted by the Education Policy Consortium (EPC) and emphasised the importance of deepening understanding of how communities experience the post-schooling sector. In addition, it foregrounds how imperative it is that we begin to engage communities on the issues that they need the post-schooling sector to speak to and most importantly, to understand that post-school education and training is useful to build communities which are self-reliant and critically important in their environment. <sup>18</sup>

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# Post-school education in the Vaal

## Identifying possibilities for change

Post-school education should take into account both the needs of the learners and of their community. Therefore, it is important to consider learners' interests as well as the context of their lived experiences, write **Sandile Zwane, David Balwanz and Itumeleng Moabi.**

**W**e begin by sharing three conclusions. First, while we met many dedicated educators and students during our research, we came to the conclusion that post-school education does not sufficiently serve the needs and interests of poor and working-class communities in the Vaal. Our second conclusion is that even if we do everything possible to 'improve implementation' of post-schooling (for example, produce more graduates with qualifications), it will not be enough to meet the needs of the communities in which they are located. Put another way, education alone cannot solve the social and economic problems of the Vaal. Our third conclusion is that the youth and educators are becoming increasingly disillusioned, disempowered, and cynical about the promise of education to lead to a better life. Troublingly, this disillusion extends to expectations of local government – which several participants suggested was uninterested and self-serving.

This article shares how we came to these conclusions while also

identifying possibilities for change and is based on findings from Emerging Voices 2 (EV2) project of the Education Policy Consortium (EPC). EV2 is a two-year Department of Higher Education and Training (DHET)-funded research project which asks 'how can post-school education better meet the needs of poor and working-class communities in South Africa?' This article draws on findings from data collected from 2013 to 2014 in the Vaal and we gratefully acknowledge the support and participation of Vaal University of Technology, Sedibeng Further Education and Training (FET) College (Sebokeng Campus), several Adult Basic Education and Training (ABET) centres, the youth who we engaged with and several youth organisations and NGOs in the Vaal, Thetha FM, Sebokeng zone 13 library and its staff and the EV2 Youth Research Learning and Advocacy team in completing this research.

### THE POWER OF MYTH

Our research findings conflict with a powerful myth: that expansion of post-school education is the solution to the problems facing

South Africa's poor and working-class communities. Individuals internalise a similar myth: If you work hard in school and get a qualification, then you will be rewarded with a job in the formal sector and material wealth. There are three problems with these myths. The first is the persistence of unemployment in South Africa. Compared to 20 years ago, a much larger percentage of the population in South Africa has gained access to post-school education. In spite of this positive trend, official unemployment in South Africa remains at 35%: the same in 2014 as it was in 1994 (StatsSA 2014). In 2011, of the 85,594 economically active youth (15–35 years) in the Emfuleni Local Municipality, 45% were unemployed (StatsSA). During our research we identified a large number of students who, while they once believed in this myth, are increasingly finding it full of holes. One student notes, 'it would really help though to study something that will enable you to live a better life at the end of your studies. Education was once called a key to success but now ... No,' (VUT Student A).



*Sharing ideas at VUT: Students discuss points.*

The second issue is that the myth promotes individualism and a 'qualifications' focus. A VUT student identifies this issue, stating, 'they'll say you need a degree if you want to be employed. If you come with a degree they say you need five years' experience to be considered for employment,' (VUT student B). In this scenario, education becomes a 'positional good': to be competitive for scarce formal sector jobs, individuals seek increasingly higher levels of qualification and experience. This situation also places the blame on the individual for their own unemployment: a person is unemployed because they studied the wrong subject or didn't study hard enough - not because unemployment is a structural feature of the economy.

A third issue is that the myth is silent on alternative explanations for the persistence of poverty and underdevelopment. Business interest in increasing profit is a

double-edged sword: profit may enrich owners or shareholders, but savings may come from reducing labour costs based on policies of casualisation, hiring contract workers or hiring fewer workers with degree qualifications. One interviewee states that in some cases, industry prefers to hire less qualified individuals for certain types of work, because they do not want to pay VUT graduates the remuneration determined by the government (VUT student C).

Why do these myths persist? Because, even with these broad structural challenges, at an individual level, getting a post-school qualification remains one of the best ways for an individual to improve his or her life chances. While many youth expressed disillusionment with post-school education, they see no alternative. Instead they ask, 'Do we try our luck, or just give up?' (TVET College student A).

### **IS EDUCATION ABOUT DOING WHAT YOU'RE TOLD OR WHAT YOU LOVE?**

Nearly all young people we spoke with said that education can play an important role in helping them to realise their dreams. But dreams are not created in a vacuum, as evidenced by the quotes below students' dreams are shaped by several influences.

'There's this sort of culture in my family, if you have once failed in younger [earlier] grades, you have to do commerce subjects but if you didn't fail, you have to do science subjects. So I didn't fail, I was forced to do science at school,' (VUT student D).

'So then my parents now notice [that] but [name of student] is good in mathematics ... she should become an accountant. But meanwhile I'm more into arts and design,' (VUT student E)

'Post-schooling institutions are too rigid. We need flexibility. We should be allowed to follow our dreams,



take our chances and learn. We are not being challenged to speak our minds or showcase our talents, instead we are given modules that were created by some professors' (TVET College student B).

Schooling here is associated with a set of 'informal' rules: the purpose of schooling is to get qualifications, some subjects are for 'intelligent' students, and student participation, as well as their interests and experiences are under-valued. For students coming from disadvantaged backgrounds, there may be pressure from family members to earn an income. We do not draw on this data to argue that students should follow one or another particular path. However, we think it is important to highlight that students often feel pressure to 'do what they're told' as opposed to using education as a process to discover who they are and what they're interested in.

### WISHES OF STUDENTS AND LECTURERS

Students and lecturers want support, sufficient resources and learning that is meaningful and practical. Many students identified a strong need for academic and career guidance as well as counselling to help them deal with financial and personal and psychological issues. Here we emphasise that students from marginalised backgrounds face multiple disadvantages to succeeding in post-school education and thus require additional academic and personal support - especially in their first years of study, write Johnson and Hlatshwayo.

Nearly all students we spoke with emphasised the need for more practical experience, sufficient learning materials, and more exposure to industry

and work experience and better job-placement support. One student says, 'what is a technical college without technical skills/practical? You cannot teach me to operate a computer theoretically - No, not in a technical college! We don't have resources, we are taught only theory,' (TVET College student C). One lecturer notes, 'industry does not want to cooperate with us, they don't want to take our learners and give them practical training,' (TVET College lecturer).

Here we see the tension between 'improved implementation' and structural unemployment. In fact, according to DHET, one of the reasons the NCV includes practical training at the TVET colleges is because of 'difficulties in finding opportunities [for training] in the labour market'.



Education with production: Sewing machines at TVET College in Sebokeng.



We also collected data on informal sector activities and from informal youth development organisations. In these spaces, people spoke of 'meaningful' skills, they sought education related to their personal and communal context, their interest in making life easier, and their goals of supporting their families and strengthening communities. Here skills development may be related to RDP houses (for example, carpentry, electricity, plumbing, or design), using technology, substance abuse counselling, or community organising. In some cases, a post-school qualification is necessary, however, in other cases, other forms of skills development may be more appropriate.

### STRENGTHENING A SOCIAL CHANGE PROCESS

Communities in the Vaal have a large number of unmet developmental challenges. Based on our research we believe that DHET's expansion of access to TVET colleges, community colleges and universities can play an important role in the social and economic development of poor and working-class communities in the Vaal. Where we part company with government policy is that we question the belief that individualised and market-oriented solutions are the only answer. Based on our research, we offer two proposals.

***Post-school institutions must be more deliberate in engaging with communities, inclusive of all groups, to identify local education and development priorities***

For example, TVET colleges could establish centres for Local Economic Development (LED) and Local Community

and Social Development (LCD) with missions to listen and respond to local developmental priorities as well as expertise and research capability in how to design, establish, and run enterprises such as small-scale businesses, cooperatives, and social service initiatives. In one of our research dialogues, ABET lecturers suggested we go out and interview the community about the skills they want to learn in the centre. 'Already we have ancillary health care, they learn more about health promotion. We also have sewing, plumbing and fashion design' (ABET lecturer A).

Wedekind and Muterero provide one example of how TVET colleges can co-develop skills programmes with local industries. During our research, we found a large number of skilled people, many of whom are unemployed or who work in the informal sector. TVET colleges could re-vitalise their mission by thinking critically about local social issues (for example, poverty, crime, joblessness) and develop new ideas and programmes which harness existing local skills and potential in positive ways.

***Post-schooling should place an increased priority on exposure to a variety of learning experiences and helping young people recognise and explore their talents and potentials***

One student notes: 'You should expose learners, rather than talking too much, so after the exposure then you can try talking to them, maybe like career exhibitions at an early age, going to places like Mittal and all those kind of stuff, and after they see what's going on, that's when you can start saying, I'm talking to them, trying to open their mind

and listen to what they think about it,' (VUT student G).

Here practical experience, work experience, participation in student groups and activities, and exposure to a variety of disciplines and activities are important, not only because they may help a student get a job, but because they help students learn who they are, what they are good at and where they want to go in life. We believe that such a change is important if we want learners to develop the agency needed to become responsible adults and citizens.

One major shortcoming of our research is that we did not sufficiently interrogate issues facing young women. Some of the issues requiring further research include the persistence of violence and sexual violence against women in communities and at institutions of education, sexual exploitation of women in the community and at work, and the persistence of gender stereotypes in academic and work settings. One of our interviewees argued that youth needed to be reminded that their freedom isn't something which 'fell from heaven' (ABET lecturer B). In this sentiment, he summarises a new mission for post-school education: engaging youth in an ongoing and collective mission of social change and transformation. <sup>LB</sup>

*Sandile Zwane and Itumeleng Moabi are from the Centre of Education Rights and Transformation (Cert) at the University of Johannesburg. David Balwanz, also from Cert, is a postdoctoral research fellow at the University of Johannesburg.*

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# Creating knowledge through community education

Community education is about people's power and creating conditions for emancipation from inequality. It is not about education for the labour market but about education for political consciousness, writes **Thalia Eccles**.

This article explores one of the intricate aspects that we consider and deal with in our work: the issue of knowledge. Our work in the Community Education Programme (CEP) is part of a broader research and development programme into post-school education and training at the Centre for Integrated Post-School Education and Training (CIPSET). It looks to create the practice and theory necessary within a participatory curriculum for community adult non-formal education. I will begin by laying out some of the ideas I have about 'how we know what we know', and how this affects how we teach, learn and create new knowledge. It will also look at how our knowledge is interlaced with our beliefs about the world – for this stems from what we understand about power and agency and its relationship to the ways knowledge is created and can be used to recreate social inequality.

The work of the CEP is connected to Freire's ideas on adult education and to others who are also strongly influenced by his thinking, like the Adult Learning Project in Scotland. This Freirean orientation helps us articulate an

eco-pedagogy, which brings into unity, the theory and practice of education for freedom, and radical and critical thinking about the current ecological crisis. We consider the nature of society to be characterised by unequal power relations that create inequality and which must be radically changed if we want a just society.

We have a critical stance on education because we consider our position as non-neutral and resist the notion that education can be value free. We have an ecological orientation because we recognise the role education and our systems of knowledge have played in separating us from our nature and the natural world we inhabit. We see that this is connected to our role in climate change and habitat destruction that not only disproportionately affects the marginalised in society, but is leading us towards a mass extinction which is likely to include our own species.

It should be noted that whilst this work is informed by strong concepts about the nature of human beings as creators of society and knowledge we consider the theory of education and adult learning to be a process

rather than a product. As such the philosophical basis and pedagogy that informs our work is continually being made and remade by those participating in it. It, like all of us, is in a state of becoming.

## PHILOSOPHICAL BASIS FOR CEP

It might seem odd for an education programme to be thinking about its beliefs about the world or about the nature and extent of knowledge rather than educational methods or teaching and learning principles. But all human actions come from an underlying belief system: one which provides a foundation for their other smaller ideas and actions. Sometimes our actions don't match our beliefs and sometimes they can conflict but we all have a layered way of understanding and making sense of the world around us.

The creation of knowledge about the world around us is part of our human capacity and society. However, the racialised and gendered division of labour has meant that the creation of knowledge is placed in the hands of certain privileged people and the knowledge created elsewhere is not considered relevant –

**We seek new knowledge through a process of participatory research – but this too must have as its foundation a radical critical orientation. Research seeks the evidence or knowledge which is most convincing, in order to enable us to act in the world.**

though it certainly is to those who use it. We are creating knowledge about the things around us and the ways in which the world works on a daily basis. Not all of this knowledge is critical, just as not all knowledge created in the academy recognises the power relationships embedded in our social positions in the world. As such our work begins but does not end with the knowledge participants bring to a learning circle.

Part of the way we consider knowledge is in a particular context. Knowledge is dependent on where it is because we understand that human beings are subjects in the world (not objects)

and as such have the ability to have a subjective relationship to others and objects. In this way knowledge is particular – it is bound by the fact that it is related to that specific person in that specific moment and is subject to change. We seek new knowledge through a process of participatory research – but this too must have as its foundation a radical critical orientation. Research seeks the evidence or knowledge which is most convincing, in order to enable us to act in the world. Often numbers and quantifiable data are seen as more convincing tools and evidence for interrogating the world – however this forgets that both the tools

and the knowledge they create do not float above the world. The methodology of research cannot be ‘objective’ as is often assumed, because it is embedded in a social world.

So our critical understanding of knowledge – and how we know what we know – tries to find a balance between an approach which gives importance to direct observations and experience of the world and a critical interpretivist approach which seeks to go beyond both the descriptive and the quantitative (stressed by empiricism). We end up with a way of approaching teaching and learning which recognises that it is ‘important







*Women power: Discussions at a community workshop.*

to look beyond the commonsense knowledge of people to uncover the structures of oppression which lie behind everyday life,' according to Haralambos, Holborn and Heald. As such it takes as its basis a qualitative approach which relies on a detailed interpretation of the lived and subjective aspects of people's lives. Through the research and education process community education emphasises that: adults hold key information about their lives and context, that learning is contextual and relational, that if learning is contextual then it is also subjective - the learner as subject rather than object is primary in the creation of agency. If it is relational then it should deal with gender and class issues - knowledge and education cannot be neutral. According to CEP, we can all create knowledge and collective learning in non-hierarchical ways. It is necessary

to prevent hegemony of thought and cognitive imperialism (disregarding what others think).

These perspectives are drawn and adapted from previous educational research and our own learning/teaching experiences - where we have confirmed that people are able to, and do, create useful and complex knowledge about phenomena in their lives. As such the research/learning process which we begin through community participatory action research (CPAR) makes clear that 'in this process, the old, paternalistic teacher-student relationship is overcome'. As Shaull argues: A peasant can facilitate this process for a neighbour more effectively than a 'teacher' brought in from outside. 'People educate each other through the mediation of the world.' As this happens, the word takes on new power. It is no longer an abstraction or magic but a means by which people discover

themselves and their potential as they give names to things around them ...

each individual wins back the right to say his or her own word, to name the world'.

By considering all knowledge creation as a socially embedded practice we can begin with an exploration of the context of our lives and through that identify areas of knowledge which need a critical response, things we might wish to unlearn, and questions we might want answered, whether through investigation or action.

Our beliefs about the nature of reality are also underpinned by the idea that everything is in a constant state of becoming; that no knowledge, person or action is complete, and therefore in our search for understanding or change, there can be no failures - only attempts. This has an effect on the ways in which learning is evaluated, and knowledge is





pursued. It also alters the way individuals relate to one another and gives us the Freirian concept that learners can be teachers. If knowledge is embodied and we can all create it, then the continuation of a 'jug and mug' model of learning becomes nonsensical. Instead we work to create a learning environment in which subjects interact with and examine their own circumstances. From there developing their literacies, becoming able to read the word and the world, the text and the context that shapes the injustices of their lives.

Our approach would agree with Gouldner who proposes that since we necessarily must have values/perspectives, we should be open and clear about them. This entails a good degree of introspection and critical self-analysis and to the problem of limited perspective.

In trying to overcome this limitation of perspective we find that collaborative, supportive and critical spaces for a dialogical practice as espoused by Freire are helpful in shedding light on biases. This gives the group a broader and deeper overall perspective not only on the topics we are studying but on ourselves as a community of learners.

In our work we choose to uphold the idea that 'educators' and 'learners' as well as 'experts' are capable of creating knowledge about a relevant curriculum structure. We believe the oppressed are not objects within a world that can be understood objectively but are 'subjects who can know and act on the world, whose task is to emerge from their conditions of submergence, and intervene in reality', write Kirkwood and Kirkwood. We see

that a just and humanising society requires that we are all given access to this opportunity to 'name' and change our world.

One way in which we extend Freire's thinking about the subjectivity of people is in the relationship between nature and culture. If we are subjects rather than objects then we are distinct from nature which is 'everything that would be there without people: birds, fish, animals, rivers ...' Whilst we would partly agree with Kirkwood's summary of Freire that 'Culture (and history) is nature transformed by people, through their work' this concept also ignores the ways in which we continue to be shaped by our natural environment (or lack of it) and our evolution by the landscape and other inhabitants of our shared home. The distinction between humans and nature

**By working to alter our perspective on the relationship to and the nature of the spaces around us it becomes possible, in the words of David Abram, to ‘practice a curious kind of thought, a way of careful reflection that no longer tears us out of the world of direct experience in order to represent it, but that binds us ever more deeply into the thick of that world.**

is in conflict with more recent theoretical developments from within a critical eco-pedagogical perspective which ‘establishes a dialogue between social and ecological justice ‘wherein the destruction of the environment is taken up and fought alongside the battle to end the terrorising of the poor and powerless’, writes Kahn.

This perspective provides the two main lenses, critical social and ecological justice, through which the data generated during the CEP participatory research process is interrogated. This has become an important part of our research process as findings have emerged from initial investigations which highlighted the central issue of environmental injustice which is faced disproportionately by marginalised communities. When we talk about environmental injustice we refer not only to the destruction of ‘natural’ spaces – like the Chatty River – but also the whole experience of the spaces in which people find themselves living, the quality of their housing, and their access to water, their physical safety in the streets and their relationship to natural spaces.

By working to alter our perspective on the relationship to and the nature of the spaces around us it becomes possible, in the words of David Abram, to ‘practice a curious kind of thought, a way of careful reflection that no longer tears us out of the world of direct experience in order to represent it, but that binds us ever more deeply into the thick of that world’. In the same way that a humanising pedagogy seeks to reconnect us to our

humanity, and Freirean pedagogy seeks to reconnect us with the ways love intersects with knowledge and justice, eco-pedagogy seeks to reintegrate humans and the ‘nature’ from which language and modernisation has isolated them. This is partly due to a theory of knowledge that leans towards an integrated and interpretivist perspective – where we make meaning within a context – but also due to the increasing practical pressures that are being placed on communities to understand and act against climate change and environmental destruction. We concur with Kahn that ‘Educators are complicit in the massive ecological crisis which encompasses all forms of life on earth’ and that ‘progressive educators and concerned citizens should re-imagine the role of education; actively working to enable a critical eco-pedagogy to emerge’.

### **PURPOSE OF AN EDUCATIONAL PHILOSOPHY?**

If we agree with Carspecken that the purpose of knowledge and education is to change the world and with Freire that the oppressed can create the conditions for their own emancipation, then this puts us in a position where the purpose of emancipatory education is in contradiction to the purpose of conventional education (which is the reproduction of existing forms of labour and living). This requires a new praxis for learning and research and prompted us to use CPAR. Fundamentally it is about access and justice – who gets to participate and create knowledge?

By creating a process which shares the tools of knowledge

creation whilst respecting the embedded knowledge in communities we are challenging who gets to do research – who can be involved and who can use the tools of research to create knowledge that is relevant. We are putting into practice the idea of Marx and Engels in which they remind us that the possibility for change always exists in every environment and is not only the preserve of those in power:

‘The material doctrine that men are products of circumstances and upbringing, and that, therefore, changed men are products of other circumstances and changed upbringing, forgets that it is men that change circumstances and that the educator himself needs educating.’

This reversal of roles in society about who holds knowledge and drives change has the potential to redefine what socially useful knowledge is and how our educational and developmental organisations are structured. Part of our understanding of knowledge is based around the idea that the active creation of understanding is not only emancipatory for the individuals involved but provides the agency for action. In exploring the underlying philosophy behind the CEP and the value of such an approach to the ways in which it manifests in praxis we hope we can continue to develop and apply it in ways that can influence community education policy. <sup>LB</sup>

*Thalia Eccles is a researcher at CIPSET. This article was first published in the Post-School Education Review 1(3) July 2015.*

# If the mind is fuzzy, eyes can't see

## Dialogue on post-schooling

Thinking of post-school education and training (PSET) requires one to draw from the deepest of their wits. The mind has to be clear or else the eyes can't see. What is the best way to imagine post-schooling? Obviously understanding the bigger picture is important and throwing out capitalist logic necessary. PSET isn't only about competing for jobs and securing employment but also for cooperation and learning beyond the classroom, writes **Elijah Chiwota**.

**P**SET should challenge inequality and build a culture of collective and critical consciousness argued activists and scholars at the 1st National Stakeholders Dialogue organised by the Education Policy Consortium at the Nelson Mandela Metropolitan University's Missionvale Campus in Port Elizabeth in September. The Consortium is made up of the Centre for Education Policy Development, Centre for Integrated Post-School education and Training (Cipset), Centre for Education Rights and Transformation (Cert), Nelson Mandela Institute for Education and Rural Development at the University of Fort Hare and the Centre for Researching Education and Labour at the University of the Witwatersrand.

### COMMUNITY EDUCATION

PSET is not only about formal education but about the community where it's happening argued Mpumi Cebekhulu from Cert. Therefore, it should serve the purpose of broader participation, skills for livelihoods,

self-employment, cooperatives, skills for health including reproductive health and how to access government support and services. It's also about challenging some of the ways in which things are being done and coming out with collective ways of solving problems. Community education also brings together theory and practice as seen in non-formal programmes on agriculture that are taking place in some communities.

In a sense PSET, which in most instance promotes the use of local languages to remove barriers to learning common in South Africa, plays a social role in the community.

Present at the dialogue were young researchers who challenged mainstream thinking on post-schooling. Some of the young researcher are published elsewhere in this issue.

The dialogue heard that vibrant debates were taking place in communities and people were not waiting for government to deal with some social issues that confronted them on a daily basis.

Local structures of organisations such as Sikhula Sonke as well as those of the Department of Higher Education and Training were being used by communities to further their interests and to address social issues.

While welcoming the advent of community colleges one of which will be at Cipset those at the dialogue asked why most experiences that were being quoted about the colleges were from the United States of America and not from African countries such as Tanzania and Zimbabwe. They also wanted clarity on how the colleges will be different from the current college system.

One should try to understand the complexities in PSET and it is important to know what the youth were doing including the literature they were reading and dramas in which they took part. The differentiated nature of the SA education system was also put on the spotlight: activist scholarship, the language issue and resources all mattered.

# Adapt and die

## Alternative views to skills and employment

‘There is need to keep the big picture in mind. If the mind is fuzzy, the eyes can’t see’ argued Enver Motala emphasising the link between PSET with global inequality, labour migration, technological diffusion that is kicking out workers from workplaces, precarious work, unequal trade relations, growing inequality and relations of power.

Drivers of inequality that should be understood included wars and famine. The ideological drivers were market fundamentalism and policy prescriptions of the International Monetary Fund and the World Bank. Racist practices, gender violence, new form of slavery, human trafficking, and xenophobia and extremism found in such organisations like Isil and the Taliban were other social ills emphasised Motala.

However, in the current crisis seeds for new ways of thinking, of livelihoods and learning were being planted. It was also time to think about socially useful work as wage labour is short term. Thinking differently about knowledge is useful and therefore there is a need to build a culture of collective and critical consciousness. That way societies would be able to resist relationships in which they were exploited. Human culture and civilization had to be recaptured from the claws of capitalism and education used as one of the tools to share human values.

In that respect, educators played an important role as Gramsci’s organic intellectuals and rethinking and coming up with new terms is important. Narrow notions of development and economic growth must be rejected added Salim Vally from Cert. <sup>LB</sup>

There’s a crisis in South Africa and globally. While not everyone may agree on the cause of the crisis or indeed that there is one, this article is about the crisis and its often devastating impact on the youth. The crisis is one of increasing wealth for a few and poverty for most and is characterised by increasing joblessness in a shrinking formal labour market and its resultant insecurities. These include lack of food, shelter, health care, and increasing destruction of interlocking ecosystems – all because of the structures, systems and frameworks within which the world operates, writes **Britt Baatjes**.

A handful of people (1%) live in a kind of ‘Elysium’ (the luxurious space habitat depicted in the 2013 film of the same name, suspended in the air far away from the ravaged Earth on which the majority of people live – poor and desperate).

We have these same ‘Elysium’ dwellers in gated communities living in splendid isolation behind their high walls, with boomed off streets, security guards and cameras where they live, eat, shop and work – they never really have to leave. At the same time, the majority of people live in poverty – workers increasingly have no jobs and ecosystems are being destroyed in the name of ‘development’ – state-of-the-art office building after office building is erected in Sandton – many of which stand empty, while millions live in shacks or on the streets. This is a

stark symbol of the crisis – a colossal gulf dividing the haves from the have-nots.

The youth – born into this crisis – now bear the brunt of it, mostly when it comes to being unable to find employment or to create their own jobs. Globally the formal economy’s ability to absorb labour is fast slipping away while students are still being prepared to enter into the labour market. The youth are told they are lazy, uneducated, under-educated, inexperienced, disinterested, and incompetent and so on. They are told that the reason for their unemployment is a result of their own deficiencies and inadequacies. If they can’t get a job, they need to acquire more education or ignite their entrepreneurial spirits and start their own businesses. As if it is as easy as that – as easy as the technical steps of putting a business



plan together. Alas, this is not a technical exercise and keeping on doing 'business-as-usual' will not get us anywhere, except maybe enrich a few consultants and authors of 'how to' books. There's even an application which was launched on Youth Day 'to develop youth entrepreneurship' - yet another so-called 'solution' to yet another so-called 'challenge'!

Pointing the finger of blame has become an art form in the last couple of decades. This blame game extends beyond blaming people (particularly poor, working class without jobs) to the educational institutions that prepare them for citizenship. In South Africa, our Technical Vocational Education and Training (TVET) colleges are targeted and championed as the places where all will be fixed. It's simple - pour money into them and do some 'fit for purpose' training and all will be resolved.

A lot of fiddling and tinkering has already been done and has got us nowhere. Remember outcomes-based education which was meant 'to level the playing fields'? We have more hills and valleys in our schools now than ever before. We hear daily the mantras of 'upskill', 'reskill', 'retrain', 'refocus'. Most of us, like the good compliant robots we have become, get ourselves upskilled, reskilled, retrained and, indeed, refocused - a la get a qualification in one thing and because there are no jobs in that area, do something else (and remember it's your fault for choosing the 'wrong' field of study).

Does all this 'up-ing' and 're-ing' really help the people it is meant to? Ask the millions who have been retrenched the world over. Ask the increasing number of unemployed graduates who sit with certificates and not much else. The other mantra - the 'shortage of skills/mismatched skills/scarce and critical skills' mantra is now bankrupt and boring. The people who sit on the sides of the streets with paint brushes and spirit levels in hand have skills, as do millions of others the world over, like

the farmers forced off their land in India. These are examples of skilled people with no jobs. So, wherein lies the problem? No, not in the people themselves nor in the choice of study options, and not because the youth are disinterested and 'untrainable'. The problem lies in the crisis of global corporate capitalism and its formal labour markets that cannot absorb the workers.

Surely, a narrow, technicist focus on education and skills for business and industry only is past its sell-by-date. 'Doing work' as useful to oneself, one's community and society in general should be part of one's life - life is about so much more than simply being a cog in business and industry's wheel. We need to revisit the true meaning of the word 'vocation' and this needs to permeate our *Vocational Education* colleges. 'Vocation' means a calling - one's life's work and purpose. It refers to the many meaningful and productive activities that human beings carry out with a great sense of dedication and commitment. The idea of vocation is also found in religion and is central to the belief that God created each person with gifts and talents oriented toward specific purposes and a way of life.

Even though one could argue that UNESCO's definition of TVET is broad(er) in that it includes 'employment, decent work and lifelong learning', the White Paper for Post-school Education and Training defines the main purpose of TVET colleges as sites for providing youth with the skills, knowledge and attitudes necessary for employment in the labour market. This narrow definition, repeatedly and routinely used in South Africa, is about preparing students to become workers for business and industry (compliant and adaptable) and if that fails then to be 'employable' or get a 'job opportunity' (what is that?) or miraculously become an entrepreneur (never mind the realities of banks not providing finance and all other hardships and

barriers that budding entrepreneurs face, including a dwindling customer base as more and more people have less disposable income and simply cease to be customers).

The global economic system continues to exclude and marginalise millions of people. However, the world over, numerous movements, spaces, groupings, organisations, ideas, learnings, activities, and ways of doing things differently are emerging - against the dominant, oppressive system of global corporate capitalism. These examples are meaningful and valuable demonstrations of hope and possibility outside of formal spaces. These spaces or 'cracks', have been created by ordinary people who show resilience and agency and refuse to give up despite hardship and struggle. These examples may be invisible to many but they exist.

#### ABALIMI BEZEKHAYA

For instance, amid the shacks of Khayelitsha, Nyanga and the surrounding areas of the Cape Flats one finds the Abalimi Bezekhaya farmers' ('the planters'/Farmers of Home) many gardens filled with a variety of ecologically grown vegetables. Abalimi Bezekhaya was started in 1982 and today the Abalimi movement consists of over 5,500 registered micro-farmers (led by women who hail from the Eastern Cape, many who left their homes in search of work). Abalimi Bezekhaya is a voluntary urban eco-farming association which assists individuals, groups and community-based organisations to initiate and maintain sustainable ecological food growing projects at home and in community gardens, and to thereby help reduce poverty by creating self-employment and to improve the health and nutrition of people. Freshly harvested vegetables are sold on a weekly basis through Harvest of Hope - a provider of 'freshly packed, organically grown vegetables ... grown in gardens of Cape Town's townships'.

As part of a research project, a team and I interviewed farmers who

# Situating the skills gap debate

all spoke passionately about what it is they do. This sentiment is captured in these words said by a farmer who started farming with Abalimi in 2000: 'I still love the garden, still now, I'm so passionate about it. I love it.' Farmers we spoke with mentioned learning about 'new' types of vegetables, like rhubarb, and learning to cook new and different vegetables. They also spoke about the nutritional value of the food they grow and that working in a garden is good exercise. For them, growing vegetables is so much more than just a technical exercise.

These, and others like them, are examples of meaningful and socially useful work involving the value of authentic vocational education. People are participating in a variety of activities meaningful to their families and communities – and they learn (usually non-formally and informally) as they do. These examples are not simply about people 'adapting' and trying to 'fit in'. They are about ordinary people taking control of their own lives and contexts – working, learning and demonstrating that another world (as Arundhati Roy and others have pointed out) is, indeed, possible!

Our world today is in crisis because of huge structural inequalities and the systems and ideologies that support these, not because of individuals who are supposedly inadequate and cannot adapt fast enough. So let's stop upskilling, reskilling and adapting to try to 'fit in'. You may just 'die' anyway while you join the millions of job seekers in search of fewer jobs in a dwindling formal labour market the world over. 'Enough is Enough! Ya Basta!' ■

*Britt Baatjes is a research associate at the Centre for Education Rights and Transformation at the University of Johannesburg and the Education Policy Consortium.*

As South Africa's unemployment and social crises continue to deepen, political leaders and experts continue to advance a range of views on the causes and possible solutions. President Zuma's admission on Youth Day that the sluggish economy is hurting young people must be considered a move in the right direction, and may be the most direct admission in years at the highest level of government that the performance of South African capitalism may be contributing to the unemployment crisis, writes **John Treat** and **Enver Motala**.

**T**his admission is however unlikely to lead to meaningful change, unless the African National Congress (ANC)-led alliance is prepared to resist more effectively the imperatives of global neo-liberalism, which it entrenched with the Growth Employment and Redistribution (Gear) strategy and reconfirmed with the National Development Plan (NDP).

Less able than the president to face the nature of the beast, the Democratic Alliance (DA)'s Mmusi Maimane, in his remarks for Youth Day, simply reiterated his party's commitment to a familiar but discredited 'supply side' perspective on the relationship between labour, job creation and economic development.

Maimane's remarks reflect the problematic and discredited

view that South Africa's high and entrenched unemployment is due largely to a 'mismatch' between the supply of, and the demand for, particular skills amongst the unemployed – the idea of a skills 'gap' or 'shortage'. We and others have explained in detail the bankruptcy of this idea elsewhere, but because it serves a powerful ideological purpose in advancing the interests of employers at the expense of society as a whole, we don't expect it to disappear any time soon.

In its contemporary form, this idea is a carryover from the global discourse through which 'neo-liberal' capitalism was entrenched. That discourse itself has been thoroughly discredited in the wake of the 2008 economic collapse – a collapse that the world's leading mainstream economists not only failed to

predict, but had proudly dismissed as impossible in the years just prior to it – as well as by the continuing failures of the dominant capitalist institutions to offer meaningful solutions to the ongoing global economic slump.

In hopes of better understanding the rise and continuing influence of this discredited idea, we recently revisited many of South Africa's policy documents from the past 20 years, as well as scholarly discussion and popular reporting on the issue. What emerges from such a review is a subtle but noticeable shift towards an increasingly simplistic and limited characterisation of the country's unemployment crisis, with responsibility for unemployment increasingly attributed – and in an increasingly alarmist tone – to the idea that an alleged 'gap', 'shortage' or 'mismatch' is the most important constraint on the country's social and economic development. Perhaps most notably, this increasingly simplistic approach seems to have produced striking oddities and inconsistencies in major policy documents, which seem to have received little critical attention.

These developments detract from the approach initially adopted early in South Africa's post-apartheid political dispensation, where official policy discourse reflected a laudable attempt at taking a balanced view of the development challenges facing the country. For instance, the Human Resource Development Strategy of 2001 framed the imperative for skills development as the need to 'meet the needs of our economy and our democratic order'. Perhaps most strikingly, it explicitly recognised that the challenges facing the country are not merely a matter of a lack of jobs, but a matter of 'the unequal distribution of productive assets in our society'.

### SIMPLISTIC LOGIC

Over the next few years, this less economic and relatively balanced perspective became gradually

constrained and distorted, and came to rely increasingly and uncritically on the idea that a 'skills shortage' plays a decisive role in limiting economic growth and societal development. By 2005, an increasingly simplistic logic seems to have found its way into the country's official policy framework, with the launch by then-president Thabo Mbeki of the Accelerated and Shared Growth Initiative for South Africa (Asgisa).

Asgisa took its orientation from a set of assumptions about key 'binding constraints' on economic growth, including a 'shortage of suitably skilled labour amplified by the cost effects on labour of apartheid spatial patterns'. It also set ambitious growth targets for the South African economy – targets that ultimately proved wildly unrealistic in the face of the global economic collapse of 2008. Of course, the failure to achieve Asgisa's growth targets was due to a whole range of factors, all of which would have a profound impact on the demand for labour.

These included the whole package of macro-economic and fiscal policy choices of government in the years before the crash, enormous 'legal' and illicit capital flows out of South Africa, eroding taxes, wages and investment, and increasing concentrations of investment capital in corporations that have 'disinvested' from South Africa. Inflation targeting, which dampened investment and, weak aggregate demand for domestically produced consumer goods, due to continuing low wages and low social expenditure were some of the reasons for its failure.

By the time of the Human Resource Development (HRD) strategy of 2009, difficulties in sustaining a coherent justification for the preferred macroeconomic model had become difficult to hide. The HRD-SA of 2009 proclaims its central concern to be ensuring 'a match between supply and demand for human resources': 'HRD is about

taking purposeful action to increase the aggregate levels of skills in the workforce so that we can maximise opportunities for individuals, thereby benefiting society as a whole.'

Leaving aside the use here of the distracting buzzword 'maximise' – which comes from the language of marketing and public relations, no attempt is made to explain how increasing aggregate skill levels would lead to greater opportunities for individuals. This implied connection is the heart of the strategy proposed. Not only is it far from self-evident, but it seems more likely false, since without related, demand-side interventions to increase productive investment, increasing aggregate skills would most likely only lead to an increased supply of job seekers, simply increasing competition for the jobs available and driving down wages.

### NARROW APPROACHES

By the time of the 2013 Industrial Policy Action Plan (IPAP), the challenge posed by the alleged 'skills gap' would be described as 'profound', and as affecting 'many areas of the domestic economy'. To its credit, the 2013 IPAP did at least give a nod to a multiplicity of causes of the unemployment crisis. As if recognising the flaws in this supply-side logic, it also noted that policy interventions had until recently been too focused on 'a narrow supply driven approach to skills planning and delivery', and that the absence of 'demand-driven, sector-specific skills strategies and programmes' had been a 'key structural constraint to sustainable industrialisation'.

The frankness of that admission makes what follows all the more striking: the document effectively abandons this crucial insight. Emphasising the need for a 'changed approach', away from the previous 'supply driven approach', it proceeds to offer a set of interventions aimed almost entirely at supply-side issues. Somewhat misleadingly, it proposes measures to better



anticipate future demand, implying that this forms part of the departure from the previous approach. But attempting to anticipate the future behaviour of labour markets – notoriously unpredictable, and vulnerable to the whole range of external factors mentioned above – is not in any sense a demand-side intervention. It is precisely a supply-side intervention: a mechanism for generating data presumably to guide planning decisions on the supply of education and training. It continues precisely the ‘narrow’ approach the document itself has characterised as misguided.

On the demand side, the IPAP includes plans for ‘Special Economic Zones’ – a mechanism whose viability is in most cases doubtful as even the mainstream magazine *The Economist* has come to accept. Slightly more credibly, it also outlines a range of ‘sectoral interventions’ targeting sectors like: clothing and textiles, automotive products, agro-processing; forestry, paper and furniture, metals and rail transport.

Yet strikingly absent from these sectoral interventions is a focus on using public expenditure to strengthen local demand for locally produced consumer goods. Aside from some aspects of the proposed interventions in food processing and automotives, the priority interventions focus overwhelmingly on serving foreign, corporate and/or luxury markets. Predictably, the interventions proposed also amount overwhelmingly to direct or indirect subsidies to for-profit employers in these sectors, effectively diverting precious public resources into corporate incentives in their ever-escalating war for profits. Such expenditures reflect the dominant neo-liberal logic of using public funds to offset the risk of private-sector exposure to chaotic markets, rather than using them to minimise those risks in advance by promoting the local markets necessary to support more sustainable local re-industrialisation.

In many ways, this odd discontinuity at the heart of the IPAP 2013 serves as a marker of the fundamental dilemma facing South African society. Without a decisive shift in policy orientation, away from the entrenched ‘supply-side’ logic of neo-liberalism, South Africa will continue to roll towards widening inequality, deepening poverty and rising social unrest.

Effecting a meaningful shift would require, at a minimum and amongst other things, cracking down not only on public-sector corruption, but also on the rampant abuse of tax policy and enforcement loopholes and other mechanisms through which major private-sector players illicitly expropriate the massive amounts of the wealth generated in South Africa. The moneys thus recouped could be used to spur employment. Not by trying to bribe private-sector employers through ‘youth wage subsidy’ schemes to hire young people – which often becomes an opportunity to get rid of an older or otherwise undesirable current employee but to hire people directly. This is done through public-works programmes that can give them opportunities to build their skills, discipline and confidence, as well as the satisfaction of contributing to society by building schools, housing, clinics, public transportation, and other ‘people-focused’ and socially useful development projects.

Contrary to typical anti-poor propaganda, the wages paid through such programmes do not ‘disappear’, but enter and remain in circulation, adding cash liquidity to local economies and spurring demand for basic consumer goods. Such demand can serve as the basis for processes of local reindustrialisation to produce the household goods and services that large numbers of South Africans need and deserve – things that many of us simply take for granted.

Such an approach to tackling unemployment would also go a great distance towards removing the misguided and irrational pressure

on public education to constrain its focus to meeting the needs of the notoriously fickle and crisis-prone capitalist labour market – a role it should never be expected to play in any case.

However much sense it might make from a developmental standpoint, the political challenge involved in effecting this sort of change is enormous. Policy decisions taken in the past two decades to reintegrate the major components of South Africa’s economy with the dominant capitalist interests have left the country vulnerable to the influence of those interests, and to effective blackmail by its creditors and the ratings agencies.

No one should be surprised that the dominant political positions across party-divides on these matters reflects the interests of big business. Blaming unemployment on the unemployed serves several needs of corporate capital at once. Not only does it keep attention away from many of the inefficiencies and failures of capitalist firms and markets, and help maintain pressure on the state to divert public revenues to subsidise the drive for profits, it also provides some psychological comfort to business managers and owners who wish to see themselves as decent people. We don’t mean to suggest bad faith, most people who accept this explanation for enduring unemployment sincerely believe it. Our point is simply that they do so uncritically, and have been habituated to accept biased, anecdotal evidence as sufficient proof, and have come to believe, moreover, that ‘there is no alternative’. That’s the way ideology works. ■

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# Insufficiency of skills shortage language

The language of 'skills shortage' used in the Department of Higher Education's publications is insufficient, narrow and misleading, write **Siphelo Ngcwangu** and **David Balwanz**.

In April 2014 the Department of Higher Education and Training (DHET) released for public comment a Government Gazette titled the 'National Scarce Skills List: top 100 occupations in demand'. This document emerged out of the call in the White Paper for Post-School Education and Training to have a more centralised system for the identification of skills needs in the economy and society. The document argues: 'Identifying current and future skills demand as accurately as possible is extremely important if the goals of the National Development Plan, the New Growth Path and the Industrial Policy Action Plan are to be achieved'. After identifying this purpose, the document defines some key concepts, outlines its method for determining scarce occupations and then provides a list of the top 100 occupations in demand.

Few would disagree with the statement, 'South Africa needs skills'. The authors agree that skills can play a vital role in human and community development in South Africa and that DHET can play a role in supporting skills development. However, after carefully reviewing the National Scarce Skills list we are compelled to offer this critique: The National Scarce Skills Lists' conceptualisation of 'skills' is too narrow, insufficiently inclusive and based on problematic theoretical assumptions, its methods are biased, and its analysis offers a selective, and in some cases, factually untrue presentation of data. To support this

critique we compare the DHET Scarce Skills publication with a recent analysis published by the Manufacturing, Engineering and Related Services Sector Education and Training Authority (merSETA). We chose to review the merSETA report since more than half of the top 20 occupations 'in demand' included in the Scarce Skills publication are also included in the merSETA list.

## MISLEADING AND NARROW CONCEPTUALISATION

The Scarce Skills publication begins with a bait and switch: skill, a general concept, is defined in terms of the requirements of formal occupations. A simple definition of 'skill' is 'the ability to do something well: expertise'. A skill can be any ability: fixing a broken leg, thinking conceptually, singing, writing a paragraph, and childcare. This broad definition of 'skill' is jettisoned in the Scarce Skills publication. Instead the DHET Publication considers 'skill' only in terms of 'skill levels' and 'skill specialisations' required for formal occupations identified in South Africa's Organising Framework of Occupations (OFO).

This is our first critique: we argue that 'skill', a broad and important concept in education, should not be constrained to the consideration of formal occupations only. The DHET publication's conceptualisation of skills is further narrowed by paring it with two other terms: 'scarcity' and 'demand'. The publication's title makes

clear the understanding of DHET: a skill is scarce when an occupation is in demand. According to the publication, scarce skills 'refer to those occupations, in which there is a scarcity of qualified and experienced people'. We emphasise these two points because such distinctions are important: the implications of compiling a 'scarce skills' list suggests not only that we can predict occupational demand, but also that higher education 'skills development' should respond to occupational demand and that 'skills' not included in the OFO are unimportant.

If the intention of DHET is to 'project skills demand' in a dynamic labour market, then by equating 'skills' with 'formal occupations,' DHET unfortunately does students and aspirant workers a great disservice. Carnevale and others draw on United States labour market data to demonstrate the folly of equating skills with occupations.

The United States creates and destroys jobs faster than any other economy in the world ... every three months, nearly 14-million workers will be hired and 13.6-million will leave their current jobs. More than half of those actions will happen because a new job was created or a job disappeared ... Every year, more than 30-million Americans are working in jobs that did not exist in the previous quarter ... Many of the occupations workers have today did not exist five years ago.

In the modern economy, occupations (and skills required for occupational competency) evolve, become extinct and emerge *sui generis*. Yesterday, South Africa needed textile skills (then China came). Today 'soft skills' are in demand (because of a growing service sector) and tomorrow, 'if all government's planned Special Infrastructure Projects materialise', there may be a 'scarcity' of merSETA-related skills.

Many institutions of higher education will find DHET's equating of skills with occupations troubling. Several university initiatives (for example the grounding programme at the University of Fort Hare and the trans-disciplinary research led out of the Mapungubwe Institute) offer counter-examples to DHET's discourse. Both of these initiatives privilege the values of humanistic and liberal arts education: broad exposure to varied sources of knowledge across academic and practical fields. The tone of the scarce skills rhetoric and other DHET initiatives, such as the 'decade of the artisan' indicate that South Africa is in dire need of semi-skilled workers and artisanal labour. Labour market analysis completed through Labour Market Intelligence Partnership points to a different story. Of changes in the labour markets from 2001 to 2012.

Bhorat and others note: 'High- and medium-skilled occupations such as managers, professionals and service and sales workers have seen significant employment gains. In turn, craft and trade workers, and operators and assemblers experienced no significant employment growth, and the economy experienced a declining proportion of medium-skilled workers in the primary and secondary sectors.'

The analysis from Bhorat, pointing to growth and wage growth in the tertiary sector economic activities, suggests that liberal arts and pre-professional degrees may be valuable after all.

The Scarce Skills list acknowledges that many skills are transferable: The publication notes that chartered accountants may work in other fields or occupy other general jobs. The list considers this phenomenon to be

an abnormality. We argue differently. Not only do individuals often have skills in many fields, but many skills are transferrable across occupations and fields. In the modern economy, it is possible for an individual to have multiple careers: an engineer may attain a post-graduate qualification and then transition to a job in corporate management, academic research or a government regulatory body. Equating 'skills' with 'formal occupations' offers many drawbacks. DHET could conceptualise skills differently: in ways related to knowledge and cognitive processes rather than markets and occupations, and preferably in smaller quanta. A simple, well-written, job description could offer an example.

In a democratic society, it is also important to ask: 'Who is not included when we are defining skill and scarcity?' The interests of several groups do not appear to be represented in the Scarce Skills publication, including workers in the informal sector, unemployed, underemployed and casually employed workers, households in poor and marginalised communities, volunteers, women and individuals working in religious, spiritual health, cultural, culinary, arts and community development professions. In the dominant discourse, skill shortages (to the extent they actually exist) are defined by the market. A more inclusive approach to determining skills shortages would be to democratically identify social development priorities and educational interests as well as citizens' 'non-marketable' activities and priorities. Such an activity could result in a different list of scarce skills. DHET's narrow and non-inclusive conceptualisation of skills is intimately related to the problematic theoretical foundations.

### IS UNEMPLOYMENT THE FAULT OF EDUCATION?

Since the early 1960s the dominance of liberal economic approaches to studying the relationship between education and the economy have coalesced around a philosophy of human capital theory which privileges the productive aspects of education

and those aspects which advance 'employability'. The New Growth Path, the New Development Programme and the DHET White Paper are grounded in the rhetoric of human capital theory. Vally and Motala show that human capital theory argues in favour of empirically unsound assumptions about the relationship between education, skills and the economy. Simply put, supply-side skills development has not been shown to create new jobs and grow economies. According to Wedekind, this critique has been ignored by post-apartheid education policy-makers.

Vocational education and the lead institution, colleges, are seen as fundamental to solving a problem [unemployment] that is not primarily an educational problem. There is a continual anxious hand wringing at the failures of the colleges and the vocational education and training system generally, followed by a new set of reforms that repeatedly aim at the same thing: making the colleges more responsive through curriculum reforms, capital investment and training. The latest proposals are not significantly different to previous reforms and it is likely that they will fail again because they do not and cannot address the underlying problems [of society].

Wedekind indicates that the disciples of human capital theory can only understand unemployment as a failure of education: a scarcity of skill, a mismatch, and a gap. That the existence of a 'skills gap' is the main cause for unemployment or at least a main contributory factor to joblessness is now accepted by many as the 'gospel' explanation of South Africa's employment challenges. All other factors, particularly external economic factors, have tended to be treated as secondary to this fundamental problem. The Scarce Skills publication fits neatly into the 'skills gaps' discourse and places the problems of society on the doorstep of education. But does the discourse reflect the reality? <sup>LB</sup>

*This article was first published in the Post-School Review 1(3) July 2015.*



# Post-school learning opportunities

## What is available for youth and adults?

If youth and adults want to access post-school learning where do they go and what qualifications will they get afterwards. **Ronel Blom** investigates complex issues around the size and shape of the post-school sector in South Africa.

The appropriate size and diversity of the Post-School Education and Training (PSET) sector has been the subject of some debate in South Africa. On the one hand, there is the annual scramble for the available spaces at public higher education institutions, suggesting that SA does not have enough post-school opportunities available and consequently, that we need more institutions, and on the other hand, we have hundreds of thousands of students who do not make the grade and who are not eligible for entry to higher education.

Cloete also points out that in addition to those students who pass the National Senior Certificate (NSC) but who are not eligible for entry into higher education, we should add those who failed the Grade 12 exam (147,973 in 2011 for example), as well as those who have left school prior to reaching Grade 12. It is estimated that only half of those that starts in Grade 1 continues to Grade 12.

While it is encouraging that the number of people in South Africa with no or low levels of schooling is decreasing, the high number in 2011 with 'some secondary' (33.6%) and 'Grade 12' (28.2%), compared to only 12.3% that have achieved

a higher education qualification, is indicative of the great need for some form of alternative post-school opportunities. In addition, the people within 'some primary' and 'complete primary' categories may, while smaller in number, also require further learning opportunities.

However, through a variety of policy decisions and directions in the last 15 years, including the restructuring of the public PSET system, which previously consisted of universities, technikons, technical colleges and colleges of education, police, nursing and agriculture, there has been 'a fundamental loss of places and spaces, of educational opportunities for school-leavers' states Higher Education South Africa. The now well-known 'inverted pyramid' which characterises the South African PSET system, is one consequence of this restructuring. Lolwana puts it as follows: 'Post-secondary education in developing countries takes the form of an expanding and widening pyramid, with a widening college system at the base and a somewhat smaller university sector, each growing as more and more progression routes are made available. In the South African education system, the widening college base has

disappeared, leaving the university system to cater for all post-secondary education needs'.

These figures are confirmed by the 2011 census which provides a glimpse of the scale of PSET opportunities that may be required in South Africa.

Cloete therefore argues that it is not more universities that are needed, but more post-school options at pre-university level. However, the public PSET sector has been contracting, while on the other hand, the private PSET sector has seen tremendous growth. The diminishing public college sector has left a vacuum which was soon filled by private institutions.

Over the past number of years, the regulation of private post-school education has been vastly improved. However, partnerships with private institutions must be mindful of a 'fly-by-night' element, of the institutions' profit motive and ideological bent, which may be at odds with the 'public good'.

Apart from the large and growing number of people who need opportunities for further learning, it is also recognised that we need a diversity of opportunities – 'post-school education and training' is now understood to include education and training ranging from basic

education (for the cohort who have not finished primary or secondary schooling), and pre-university, as well as university education. The Department of Higher Education and Training (Dhet) defines 'post-school' as 'all education for people who have left school as well as for those adults who have never been to school but require education opportunities'. There is therefore a clear need for general, as well as vocational and occupation-directed learning opportunities for both out-of-school youth and adults. Furthermore, these learning pathways must lead to meaningful further learning opportunities through articulation and progression routes.

It is against this background that the Centre for Researching Education and Labour has initiated a study in respect of the size and shape of the post-school education and training system in South Africa.

### PURPOSE OF THE STUDY

The study will be conducted in different phases, with the earlier phase informing the next. The current study has the following main purposes:

Scoping of public and private provisioning across the PSET system in terms of institutions of learning with the aim to a) determine the size of the sector; b) to develop a typology of institutions; and c) assess the diversity of opportunities available, including opportunities at:

- Public and private universities/ Higher Education (HE) institutes;
- Public and private Further Education and Training (FET) colleges (now called TVET colleges)
- Public and private workplace education and training centres.

The scoping encompasses all accredited institutions. For the first stab at the scoping, no distinction was made between institutions offering education and training to the pre-employed or to the employed. In terms of the programme offerings, the initial

scoping is limited to credit-bearing qualifications of Certificate and Diploma (NQF 2 - 6) levels.

Emerging from the above, the extent to which diverse opportunities are available and the nature of such opportunities, at different levels of the system, was assessed.

### FINDINGS

#### *On the data*

A comprehensive view of the public and private education and training sector has been difficult to ascertain due to weak data management practices throughout the system. The intention for the South African Qualifications Authority's (SAQA's) National Learner Records Database (NLRD) to be the main repository for information about public and private institutions has been complicated by information technology challenges in terms

of the format of datasets to be uploaded to the NLRD, delays in uploading, and non-compliance by the bodies responsible for the datasets. SAQA's data are therefore often outdated and incomplete - it is for this reason that data were collected directly from the various quality assurance bodies and, in respect of public institutions, directly from the Dhet.

#### *Methodology*

A number of studies have been undertaken to assess the size, shape and nature of the PSET sector. However, most of these studies investigated only a segment of the sector. The Sector Education and Training Authorities (Setas), for example, undertake annual Sector Skills Planning (SSP) studies in relation to a specific industrial or economic sector, but these studies are not necessarily comparable across Setas or other quality

Name of Authority	No of Institutions	Name of Authority	No of Institutions
AgriSETA	358	SASSETA	No data available
BankSETA	32	SERVICE SETA	1,747
CATHSSETA	304	TETA	No data available
CETA	177	UMALUSI	448
CHIETA	No data available	W&R SETA	No data available
ETDPSETA	1,200	CHE/HEQC	87
E(W)SETA	No data available	DHET (colleges)	50
FASSET	No data available	DHET (universities)	23
FOODBEV SETA		114	
FP&M SETA		1,301	
HWSETA		105	
INSETA		81	
LGSETA		No data available	
MERSETA		555	
MICT SETA		585	
MQA		133	
PSETA		80	
SABPP		49	
SANC		232	
SAPC		25	

assurance bodies. Even if they were, the results are certainly not quantified into a single data set. The result is that it we do not have an overview of the system. Further, it is difficult to determine where the overlaps exist, or for that matter, where gaps are in relation to what we consider necessary for a vibrant PSET system.

The primary methodology was a desk-top analysis of data available in the public domain, including data from the Dhet, the Setas, Umalusi, the Council for Quality Assurance of General and Further Education and Training, and the Council on Higher Education (CHE). Where data was not available on public websites, quality assurance bodies were contacted directly for information, not all of which were willing to share their institutional data. This was out of concern that the data will be distributed to the general public. Nevertheless, this has resulted in gaps in the data for the study.

Data on the private education and training sector in particular

proved problematic: 'The data on private post-school education is both a goldmine and a minefield. It is evident that a substantial amount of data is available, but that very little systemic work has gone into collecting data for the sake of understanding the whole of the sector'. One of the major difficulties is to determine how many institutions are active in the education and training sector. An important activity, as part of this study, is to ensure that all possible duplications are removed. This kind of data-cleaning is in itself complicated by accreditation practices, specifically in respect of the practice of primary and secondary, or indeed multiple accreditations with different quality assurance bodies.

#### *Number of institutions*

Taking into account that there may be much duplication that is through education and training institutions which are accredited by more than one quality assurance body, it is clear that the sector is substantial. Also, it

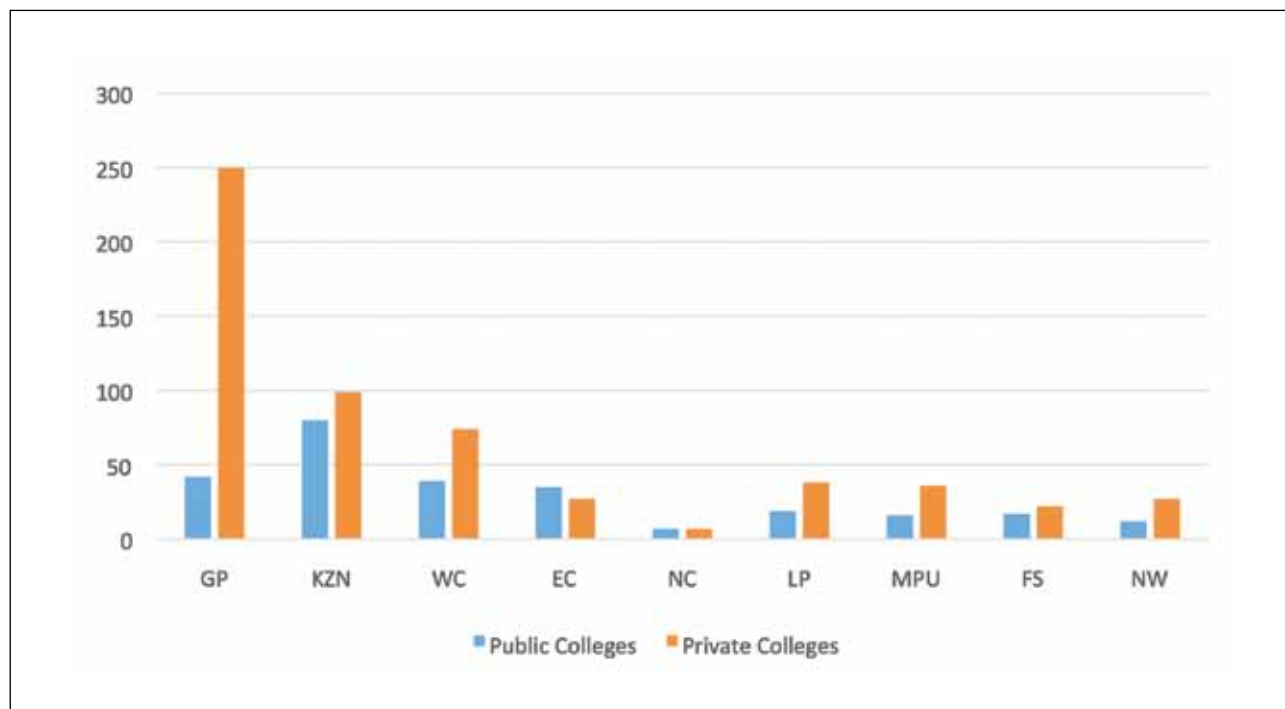
is probably more correct to talk about sites of learning, rather than institutions because both public and private institutions often have multiple sites – then the figures increases to approximately 7,000 sites. Whether this means that the sector is of an appropriate size, is not yet clear.

#### **GEOGRAPHICAL SPREAD**

Post-school opportunities are not only about the variety of types and levels of qualifications available, it is also about the extent to which such opportunities are accessible to people living in rural, semi-urban or urban settings. While it is expected that the large urban areas will have many more opportunities available, in sectors such as agriculture, for example, education and training institutions may be found in very rural settings.

To assess whether the size and shape of the post-school sector is appropriate for the needs of the country, the actual numbers matter less than whether the sector meets the needs of as many as possible aspirant students where they live.

#### **Public and private post-school opportunities**





## QUALIFICATIONS

There are two main types of qualifications in South Africa: unit-standard based qualifications and curriculum-based qualifications. The former are associated with occupational training or skills development, often in the workplace; and the latter with largely face-to-face, full-time programmes offered by colleges and universities. A third type of qualification, under development by the Quality Council for Trades and Occupations (QCTO) will be curriculum-based occupational qualifications. This type is excluded for the moment as no or low uptake is evident at this stage.

In addition to these types mentioned above, there are also 'legacy' qualifications. These qualifications are offered by mostly public and private colleges and are known as the Report 191 or NATED qualifications. The artisanal type qualifications, and N4 – N6 post-school qualifications fall in this category.

While some unit-standard based qualifications have a high uptake in the various economic sectors associated with the Setas, many of them have a very low uptake, often with only one provider, for example the British American Tobacco South Africa Company that offers cigarette making and related qualifications.

Some economic sector institutions are found only in the economic hubs of the country, for example, the banking and insurance sectors, while others are more spread out across the country, for example the nursing and mining sectors.

Of particular interest is the geographical reach of private further education and training colleges due to the many branches and/or franchises of the larger colleges, for example, Damelin and Boston Business College. In many small towns, these are the only post-school institutions available. However, most of these, as in the public sector, are found in Gauteng.

The curriculum-based legacy and new qualifications such as the National Certificate: Vocational (NCV),

have a high uptake. In addition, the 'legacy' (NATED) qualifications are also still offered widely by both public and private institutions, particularly in relation to the following fields of learning: engineering studies, electrical studies, business studies, including business and financial management, human resources, secretarial studies, and hospitality and catering, tourism, educate and clothing production.

The levels of qualifications vary across the sectors. Some sectors, such as the agricultural sector, for example, offer many National Qualifications Framework (NQF) Level 1 qualifications, while the mechanical engineering and related design sector offers more qualifications at Levels 2, 3 and 4. Private higher education institutions offer many Level 5 and 6 qualifications, in contrast with the public university sector, that offers qualifications mostly at Level 6 and up.

## THE AVAILABILITY OF LEARNING OPPORTUNITIES IN SOUTH AFRICA

This article is more than an attempt to understand the appropriate size and shape of the post-school education and training sector. Its explicit purpose was to assess the extent of learning opportunities available for post-school youth and adults. It is clear that the need for such opportunities is vast.

Thus, notwithstanding the gaps in the data, it is also clear that the system encompasses thousands of education and training institutions, all of which has the intention to make learning opportunities available. However, while most sectors in the education and training system, especially in relation to the Setas, offer an array of learning opportunities, it is not as clear as to how many opportunities are available for the pre-employed. It is evident that Setas have established extensive training systems for employees in their respective sectors, but that these learning opportunities are not necessarily readily available to pre-employed youth who are not associated with their sectors.

Therefore, the main avenues for especially pre-employed youth to

obtain education and training at a pre-university level, are through the public and private colleges and private higher education institutions. The question to be asked then is whether this subsection of the broader landscape is of the appropriate size and shape. Furthermore, the question should also be asked whether the kinds of learning opportunities are diverse enough to meet the needs of pre-employed youth and adults.

## NEXT STEPS

The immediate next steps include:

- Finalise data capturing and analysis per sector
- Identify and remove duplications across sectors
- Verify data per sector and effect 'clean-ups'
- Undertake deeper analyses of data as required

Concurrent with the above, the next phase of research will be conceptualised and initiated through identifying a sample of public and private post-school institutions to investigate:

### *Students:*

1. Who are the students attending these institutions (demographical information)?
2. Why they are attending the institution (and not any other institution)?
3. What are their throughput and success rates?
4. What are their destinations?

### *Institutions:*

1. Why are they considered accessible?
2. What are the modes of delivery?
3. What quality assurance measures are in place to ensure quality?
4. Any other relevant and contextual factors? <sup>18</sup>

*Ronel Blom is a researcher at the Centre for Researching Education and Labour. This article was first published in the Post-School Education Review 1(2) December 2014.*

# Industrial policy, knowledge economy & manufacturing

Industrial policy should be geared towards an efficient economy which provides low-skilled labour-intensive jobs. In South Africa attempts to leapfrog into capital-intensive manufacturing is not aligned to the country's stage of development, writes **Palesa Molebatsi**.

The prevailing notion of a 'knowledge economy' highly influences policy work around pathways to industrialisation. The increasingly dominant view that the new global economy is driven by innovation and creativity, skills and knowledge is almost taken for granted by governments the world over.

Increasingly, knowledge is viewed as the core stimulus for industrialisation and economic growth. Strong emphasis is therefore placed on technology investments, the establishment of high-technology industries and the creation of highly-skilled labour as core ingredients for stimulating wages, employment opportunities and global competitiveness. These economic approaches in the developed world are also being pursued in developing nations, such as South Africa, where heavy attention has been given to strengthening the manufacturing sectors and remedying the 'deindustrialisation' that has stifled the desired domestic economic expansion.

Tregenna expresses the concept of 'deindustrialisation' as the declining share of the

manufacturing sector in gross domestic product (GDP) and/or employment – where manufacturing is not synonymous with industrialisation, but is regarded as possessing special characteristics rendering it a potential lead knowledge sector and engine of industrial growth. Overall, South African growth per capita has been stagnant despite its increase in recent years and unemployment remained high – further constraining growth and increasing the importance of labour-absorbing industrialisation. The tension between the need for 'high-skilled' labour to achieve a 'knowledge economy' and the need to address the South African unemployment crisis by expanding labour-intensive manufacturing and absorbing 'low-skilled' labour is a crucial discussion for policy-makers.

## INDUSTRIAL POLICY

The sluggishness and slow decline of the South African manufacturing sector is generally blamed on failed structural transformation as a result of several factors including poor macroeconomic policy (for example inappropriate trade

liberalisation, outdated technology and constrained input access, rising global competition and poor skills). This multiplicity of factors makes South African industrial policy a large, multi-departmental effort that must stimulate economic expansion, while also addressing social difficulties such as increasing the economic participation of historically disadvantaged people and marginalised regions. This often means that seemingly contradictory policies are pursued by government. South African industrial policy is comprehensively set out in the Department of Trade and Industry (DTI) Industrial Policy Action Plan (IPAP), which outlines the cross-cutting and sector-specific programmes and interventions that the department has committed to for economic growth. 'Government policy set out in IPAP and other documents seeks to ensure a restructuring of the economy to set it on a more value-adding, labour-intensive and environmentally sustainable growth path.'

To do this the DTI strives towards achieving specific objectives that include, among other things, promoting



*Inside a shoe factory: A leather worker puts the pieces together. Credit: William Matlala.*

diversification beyond traditional and non-tradable goods and services to compete in export markets, improving the African continent's productive capacity, ensuring long-term intensification of South Africa's industrialisation process, and the movement towards a knowledge economy. These represent a brief overview of current domestic industrial policy in which both the 'knowledge economy' and the importance of a 'labour-intensive' manufacturing growth path are repeatedly highlighted and discussed, demonstrating the enthusiasm for these two themes.

### **CAPITAL-INTENSIVE VERSUS LABOUR-INTENSIVE**

While policy statements present the need for both labour-absorbing growth and capital-intensification in the manufacturing sector, de facto policy support has promoted capital-intensification over labour-intensive manufacturing. The promotion of and over-emphasis on the 'knowledge economy' has meant that attention is placed on creating an environment conducive to knowledge-work and knowledge-transfer for

industrial purposes. As a result, manufacturing policy measures are predominantly aimed at stimulating the low capacity to innovate in order to overcome the weakness that South Africa (like numerous other developing countries) is burdened with. One set of policy responses regarded as essential for stimulating industrial expansion through the manufacturing sector prioritises skills and innovation policies aligned to sectoral needs. This places increasing pressure on universities to produce industrially relevant technology that is of direct and immediate use to the private sector, while also producing quality graduates with the skills to support this objective going forward.

One example of the bringing together of universities and business by the South African government is the 'Technology Stations Programme', run by the Department of Science and Technology (DST) through the Technology Innovation Agency (TIA). The Technology Stations Programme supports the technology needs of Small Micro and Medium Enterprises (SMMEs) in an effort to make them more competitive. At 12 universities of

technology across the country there are Technology Stations with high-skilled research staff (both from inside and outside the universities) who offer technology services such as the provision of tests, analysis, training, technology demonstrations and product design to the SMMEs. In this context, skills development in the areas of science, engineering, and technology innovation is pursued through programmes designed to attract and increase the human capital in these fields. Through this, an attempt is made to exploit the supposed relationship between education (and high-skilled labour), research output, and economic growth. This type of hybridisation and integration of organisations creates 'Knowledge Transfer Organisations' such as the Technology Innovation Agency where universities, industry and government meet to collaborate.

This is but one example of the way in which knowledge economy pursuits manifest themselves. Viewed in this light, manufacturing has the capacity to become a lead knowledge economy sector if skills formation as well as research and development (R&D)



projects stimulate technological advancement. Tregenna emphasises the importance of R&D and human capital in new growth theories. It is this rationale that encourages the South African government to pursue targets such as an increase in R&D spending that will bring this expenditure to 1% of GDP – a target which was set in 2008 and still has not been met.

While it is true that some of the increased focus on heavy industry and capital-intensive manufacturing (and hence R&D as well as skills development to support technological advancement) has been because of the relatively poor performance of labour-intensive manufacturing sectors, policy statements nonetheless point out the need to strengthen and expand the labour-intensive sectors, particularly as rapidly growing sectors are not necessarily employment creating. As Tregenna highlights, there is often a potential trade-off between sectors that are technologically advanced and highly productive, and those that are more-labour-absorbing and less productive. Black very persuasively suggests that although South Africa's comparative advantage has been in capital-intensive manufacturing sectors rather than in the labour-intensive sector, economy-wide efficiency can be achieved if the mass of unused labour available to South Africa can be better mobilised.

Despite the fact that the manufacturing sector is glorified as being one in which learning by doing and innovation are highly prevalent, and where most technological change takes place, for the South African case, manufacturing is also a sector in which a substantial employment multiplier exists. This makes the sector an easy target area for expansion that will lead to an increase in employment opportunities, stimulating domestic demand and growth.

Unfortunately, the increase in capital-augmenting labour-displacing technological change in manufacturing has been damaging for employment as a result of the focus on strengthening heavy industry, argues Tregenna. Black echoes Tregenna's sentiments by highlighting that manufacturing may not be a major source of employment in most middle-income countries, but has the ability to alleviate the challenges associated with a poorly-skilled labour force in South Africa. This is an undoubtedly desirable outcome given the frequent suggestion that the cause of high levels of domestic unemployment is a lack of required skills. An expansion of low-skill jobs in manufacturing therefore has the potential to contribute to increasing employment because the low-skilled labour employment multiplier in the manufacturing sector exceeds that of most other industrial sectors. If the focus is on mobilising 'low-skill' then the 'skills gap' said to exist because the South African education system is not producing people with the required skills for the private sector potentially becomes less of a problem in that less investment is required for skills formation than is the case for investment towards knowledge economy skills. In fact, Tregenna goes as far as suggesting that the South African capital-intensive manufacturing path is premature. 'The low employment share of manufacturing in GDP is indicative of a distorted development path in which South Africa "leapfrogged" from a minerals and resource-based economy to capital intense-heavy industry without going through a period of development of labour-intensive light industry.'

### CONCLUSION

In her book, *Does Education Matter (Myths about Education and Economic Growth)*, Wolf makes reference to the 1980s,

when some analysts divided the world into 'high-skill' and 'low-skill' economies, where the former is characteristic of a knowledge economy. It is this simplified analysis that places education and skills for knowledge transfer at the centre of industrial policy today and leads developing countries to strive towards high-skill equilibrium in the manufacturing sector, even when the 'efficient' policy action is to fully exploit the available 'low-skill' labour. The global trend is to assume the existence or coming into being (depending on a country's stage of development and capacity to innovate) of a knowledge economy. This is despite debates taking place amongst economists and sociologists around the extent of the move towards the knowledge economy. This attempted 'leapfrogging' of the South African manufacturing sector perpetuates unemployment which then further constrains growth. Moreover, it is not surprising that industry and policy-makers perceive an extensive lack of the skills required for growth, even beyond what is the case in reality. This is because attempting to 'leapfrog' towards an industrial 'knowledge' economy leads them to write-off the labour that is available and seek out the sort of scarce 'high-skill' labour required for their knowledge economy goals.

In agreeing with Black, industrial policy should be less concerned with 'technological upgrading' and 'innovation base expansion', but should aim to promote the economy-wide efficiency that is attainable through absorbing the 'unskilled' and 'low-skilled' domestic labour force. ■

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# On the White Paper

## Some new policy directions

The White Paper seems to point in the right direction as it recognises social justice in education as one of the ways to address issues of inequality, write **Paul Kgoe** and **Ivor Baatjes**.

One of the important pieces of work of the new administration of 2009 was to separate the national Department of Education into two new departments: the Department of Basic Education (DBE) and the Department of Higher Education and Training (DHET). The DHET came into existence in May 2009 by proclamation and as part of the restructuring of government on education. It became operational a year later in April 2010. Its establishment follows an ongoing debate about, inter alia, closer integration of education and training in the post-schooling sector and the desire to steer and reconfigure this sector towards a new architecture which reorients existing complex organisational arrangements and already-existing practices.

As a result, skills development and training became part of the mandate of the DHET – a function which was previously located within the Department of Labour. As part of the architectural reconfiguration, the sector education and training authorities (Setas) were moved from the Department of Labour to DHET in order to foster a more co-operative approach to skills development. It therefore assumed overall responsibility for tertiary education (universities and higher

education institutions), technical and vocational training, and adult basic education and training and oversees public and private further education and training colleges (now technical, vocational, education and training (TVET) colleges and Adult Learning Centres which provide for the learning and training needs of youth and adults.

This policy change attracted much debate, analyses, commentary and critique related to the underlying purposes of such restructuring, its necessity and how such restructuring would advance a broader transformation agenda. For instance, government officials often linked the restructuring process to a concern about fragmentation, incoherence and the need for greater integration and better coordination necessary for the more efficient implementation of policy and utilisation of resources. Rose argues that this policy change should also be understood within the dominant global ideology of post-school education which places emphasis on the ‘ceaseless work of training and retraining, skilling and reskilling, enhancement of credentials and preparation for a life of incessant job-seeking ... in which life is to become a continuous economic capitalisation of the self’. Post-school education policy, in particular, is increasingly negotiated

in relation to market efficiency and ‘individual liberty’ which could ostensibly translate into the best economic outcomes for a nation.

Various subsectors of the post-school system have been the subject of much critique, such as the neo-liberal ideology upon which the framework for education policy is based, the inability of the National Skills Development Strategy to reach skills development targets, the failure of skills development in addressing stubborn and persistent high unemployment, the inability of the education system to provide for the increasing number of youth not in employment, education or training, the ongoing poverty in provision and delivery of adult basic education and training (ABET) and the persistence of illiteracy amongst adults, the difficulties within TVET colleges such as poor pass rates, and funding of higher education institutions.

It was in light of such debates that significant work in the post-school education and training (PSET) sector has been undertaken since 2009. Much of this work resulted in, amongst others, the release of the White Paper on Post-School Education and Training in January 2014, which, for the first time, articulated a policy position for the ‘post-school sector’. The White Paper was released following

an extensive programme of Task Team deliberations arranged by the Ministry of Higher Education and DHET that focused on various elements of, and within, the subsectors that constitute the PSET sector. The White Paper, which incorporated many recommendations of Task Team investigations, was itself the focus of numerous consultations – perhaps of a nature not seen since the late 1980s.

The White Paper has as its main goal coordinated and integrated conceptualisation of the provision and delivery of PSET towards the improvement of the social, economic and cultural life of citizens. This policy document makes a number of important proposals on how to transform the PSET system and will form the basis of a development plan up to 2030. This article draws attention to some of the key proposals of the White Paper.

First, increasing access to PSET is at the heart of the proposals of the White Paper. This will include a dramatic increase in enrolments in Further Education and Training Colleges (renamed Technical and Vocational Education and Training Colleges). The White Paper proposes increased enrolments in these colleges to 2.5-million students by 2030, a massive increase from the current enrolment figures of roughly 400,000 in 2012. An additional 12 TVET colleges are planned for by 2030. This policy objective is closely tied to economic goals through the production of individuals with the knowledge, skills and dispositions necessary to enhance their own and national competitiveness within the global economy.

Second, the White Paper signals the intention to introduce a new type of institution in the post-schooling terrain – the Community Colleges. Current Public Adult Learning Centres (PALCs) will be converted into community colleges

which will provide formal and non-formal education and training opportunities for youth and adults. These community colleges will also play a role in increasing access to PSET. It is envisaged that they will collectively absorb the millions of youths and adults who have never attended school or dropped out of formal schooling. By 2030, one million adults and youth will be enrolled in adult and community education.

An important aspect of the work of the community colleges is their direct connection with community needs and issues and with other government programmes such as the Expanded Public Works and the Community Works programmes. This policy objective has the potential to provide greater people-oriented and socially useful programmes and work responsive to community needs and environmental standards, which in turn, could further promote greater social justice, opportunity and equality.

Third, improving access without corresponding improvements in quality is viewed as unacceptable. The quality of provision and delivery of programmes at both TVET colleges and PALCs remains of great concern. For instance, the throughput rates at these institutions have been very low, and learner success disappointing. To address these problems, a new structure to support quality improvements in colleges is proposed – the South African Institute for Vocational and Continuing Education and Training (SAIVCERT). Its responsibilities will include providing support to TVET colleges and community colleges, developing innovative and improved curricula for the college sector, upgrading the technical knowledge and pedagogical skills of staff in colleges in collaboration with universities, employers and experts, initiating ongoing research and scrutinising issues related to college management and student

support. Whilst the establishment of SAIVCERT is a significant proposal, it remains absolutely crucial that it functions optimally in order to achieve the desired results. It is one thing to establish such bodies, but as experience shows, getting them fully functional is another matter. This policy objective responds to a vital area as it attempts to address the pedagogical practices of educators as well as complex institutional capabilities and curriculum architecture.

Fourth, other important measures to address quality improvements in the college sector include the introduction of regulations for minimum qualifications for both educator groups in technical and vocational education and adult and community education, improving student support services (including academic support) and finding workplace opportunities for students for which ring-fenced funding will be made available. The DHET recently declared policy for qualifications for educators in TVET. A draft policy for adult educators will soon be released for public comment. Both policies recognise the need to support college lecturers who can perform their functions at a high level, providing the necessary infrastructure and equipment to support their pedagogical practices, and collaborating with employers, curriculum developers and the expertise required for designing curricula. This policy objective is imperative in consolidating and strengthening the neglected adult education units in universities responsible for providing academic programmes. Further expansion of such units is required in order to address the vast learning needs of communities.

Fifth, all qualifications and programmes offered by the future college sector will be reviewed with the aim of creating a more coherent framework. This includes the revision of qualifications and programmes such as the



NATED programmes and the NCVs currently offered at TVET colleges. A similar process needs to be followed with the PALCs including support for community-based research that assists in the identification, development and design of both formal and non-formal programmes to be offered at community colleges. The focus on qualifications and programmes may include the introduction of new learning programmes that reflect differentiation between TVET colleges so that these institutions are more responsive to the socio-economic contexts in which they are located. This policy objective provides for curriculum innovation linked to a localisation agenda concerned with the values of empowerment, self-sufficiency, self-reliance and democracy. It further offers the possibility for newly-established institutions to be more directly relevant to community needs through offering programmes that address such needs.

Sixth, the White Paper emphasises the importance of the university system as part of a coordinated and integrated post-school system and suggests a stronger interface with TVET and other colleges, Setas, employers and other stakeholders. The three core functions of teaching, research, and community engagement are highlighted, and so is the role of universities in providing high-level skills for the labour market, knowledge production, and provision of opportunities for social mobility to strengthen social justice and democracy. The latter points to the need for more socially-engaged forms of scholarship in higher education to address the wide range of socioeconomic problems experienced by poor communities. Some of the proposed interventions to strengthen the university sector include developing a concrete plan that addresses the challenges of future staffing of South African universities,

supporting the development of lecturers' pedagogical practices, providing financial support for educator development, recruiting retired academics to ease the over-large classes where possible, and improving student support services. Furthermore, a differentiated system that provides for a variety of learning modes, programmes and methods of teaching for diverse student bodies is proposed.

Seventh, articulation between programmes offered by post-school system institutions has been identified as one major area of weakness across PSET. For instance, student progression and transfer between TVET colleges and universities remain limited due to a range of epistemological, institutional, psychological and situational barriers. In order to respond to this problem, partnerships and collaboration between the college system and universities need to be established in order to enhance the transfer rate between these institutions through formulating, articulation policy and agreements, and in the process, addressing barriers to the transition between the two tiers. The collaboration between the universities and other PSET institutions becomes necessary in opening up access to higher education, especially for marginalised youth and adults.

Eighth, work integrated learning (WIL) has also emerged as a focal point and is strongly supported by the White Paper. WIL is being emphasised as integral to qualification and programme design. The White Paper calls on various role players (Setas, educational institutions, employers and DHET) to cooperate in tackling the challenges associated with WIL which has been a feature of the system.

In conclusion, a reading of the White Paper on PSET suggests that the South African government is concerned with issues of equality. This was emphasised in earlier drafts

of the White Paper which grounded the policy debate within a broader discussion of the triple challenges facing the country – poverty, inequality, and unemployment. The commitment to equality is necessary to ensure greater participation in education and to reduce social stratification and thus address this triple challenge. Rizvi and Lingard see the White Paper as promoting a better-educated population that is necessarily good for the economic development of the nation, whilst, education is viewed as an important basic human right and essential for social cohesion and justice.

Motala and Pampallis have however cautioned that the expectation that educational interventions through policy reform can (on their own) resolve the legacy of apartheid is both misleading and short-sighted. For instance, formal and increased access to PSET does not always translate into effective equity outcomes. This means that the commitment to social justice in education requires both broader reforms in social and economic policy including the redistribution of resources as well as a careful consideration of the historical conditions that produce inequalities. Therefore, while important proposals are made in the White Paper, the extent to which these will transform education and society will depend on a number of factors, including the broader historical and political context, the conditions which continue to reproduce inequality and the external determinants that limit the ability of the nation-state to redress it. <sup>18</sup>

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# Adult education

## Imagining what might have been

There have been lost opportunities to take adult education to the people. These included missing out on mass literacy campaigns as has been the norm in most countries after democracy, writes **Sheri Hamilton**.

**A**fter the proclamation of the White Paper on Post-School Education and Training in January 2014 and a few weeks before the May 2014 elections, a high-level meeting on adult education was convened by the Minister of Education and Training, Blade Nzimande. At this meeting members of his senior staff and advisors were present together with representatives of the remaining outposts of adult education in the universities and in the adult education non-governmental organisation sector.

Nzimande acknowledged the chronic underfunding and lack of support for adult education since the historic 1994 elections and the consequent decimation of this once vibrant sector. At this meeting one university representative reported on the recent demise of *Learn with Echo*, the last remaining newspaper for newly literate adults that has been discontinued as a supplement carried for almost 20 years by *The Natal Witness*. *Learn with Echo*, will join the graveyard of newspapers and magazines dedicated to newly literate adults such as *Learn and Teach*, *Speak* and many others.

Among the first to experience disappointment with the post-apartheid government for the failure

to launch a mass literacy campaign, was a layer activists working in adult education. Mass literacy campaigns had been the practice of most of the newly liberated countries after centuries of colonial oppression and exploitation. For example, among the first acts of post-colonial governments in Africa, from Angola to Zimbabwe, in Latin America, from Cuba to Nicaragua, to the former Soviet Union, was the launch of a mass literacy campaign. Through this, for example, the former Soviet Union was able, in just one generation, to outpace America in its output of scientists, doctors and engineers and even in its space programme. Although subsequent campaigns had mixed results, there is no doubt that mass literacy programmes or campaigns were a key factor in galvanising support for state development efforts among the poorest members of the population in these countries.

It is not difficult to imagine, for instance, what might have been achieved through the training colleges system if it was not shut down and geared towards training literacy or adult basic education training (ABET) teachers on a large scale, drawing on returned exiles, unbanned persons, released political prisoners, and many

unemployed to set about the task of eradicating illiteracy and building the new nation. Such an act would have provided the opportunity 'to implement by the next morning what was learned the previous evening,' as Nyerere once said, reflecting on the difference between adult education and schooling. The values and principles of the new Constitution could have been taught as part of a core curriculum along with other key development objectives. That moment in time, in the aftermath of the snaking queues that marked the birth of democracy has been lost perhaps for generations to come. South Africa missed this historic opportunity and forfeited the goodwill that liberation from racial oppression evoked that could have so easily been harnessed to support a mass literacy campaign.

But hope springs eternal and when literacy was declared a Presidential Lead Project in the Reconstruction and Development Programme, it was seen as another chance to rescue the moment. However, these hopes were soon dashed when no budget was allocated to the campaign. Literacy and adult education entered a slippery downhill slope from grand mass-based plans to programmes and initiatives that produced negligible results given the consistently



*Busy with studies: An adult literacy class in session. Credit: William Matlala.*

poor budgets allocated to such efforts. Except for a committed and determined few, ultimately, these failures did more than exhaust the goodwill and enthusiasm that existed for this work, such as the would-be beneficiaries of the land reform programme who would not outlive the missed opportunities to redress legacies of the past, many illiterate and poorly educated adults have been denied the 'light' and 'dignity' which so many newly literate adults have avowed about the benefits that literacy has brought to their lives.

Now that the minister acknowledges that adult education has been neglected by the present government for the 20 years of its rule, and that the new community education and training centres or community colleges mooted in the Post-School Education and Training White Paper provide an opportunity to correct the past mistakes: we renew our hopes in this promise to rescue an ailing adult education sector. We continue to ask however whether this hope is and to ask the question: 'What has fundamentally changed to makes this latest promise plausible?' As I see it, a great deal has changed and hopefully the government's latest promise is a belated response to a changed context.

Firstly, the neo-liberal triumphalism which influences every single aspect of life has been exposed as a lie in South Africa and internationally. There are very few illusions about the impact of the approaches to education that have led to its commodification and contributed to the demise of literacy and ABET. Secondly, there is a healthy skepticism towards any new panacea that is proposed by government, given a reality and experience of far greater inequality now, higher levels of unemployment and other seemingly intractable social problems such as crime, violence – especially against women and children – and substance abuse. Thirdly, there is a search for alternatives that are based on the principles of collective, sustainable and participatory solutions that place the needs of people before those of profit. Finally, there is also the recognition that there is a need to rebuild organisations, reinvent methods and approaches that support them and reignite the activism that brought about the liberation from apartheid and colonialism.

Community colleges that can hopefully incorporate the current public adult learning centres might offer a new system of youth and adult education not characterised,

as it is presently, by mainly second-chance schooling but by institutions that serve as bridgehead between schooling and the post-school education and training system and is linked directly to the development needs of communities. For example, the various development and job-creation initiatives such as the Expanded Public Works Programmes can be tied directly to education offerings in community colleges that prepare youth and adults as part of initial in-service training. Such programmes should be linked to further and continuing education and training opportunities in other PSET sectors, in firms, factories, farms and communities as part of 'professionalising' this work in communities. This is the only way to address the 'skills shortage' by tying jobs creation to education and training. It is also the only way to move away from 'job opportunities' to decent jobs.

Tying job creation that responds to the needs in communities to education and training through community colleges linked to other post-school education institutions will be the basis upon which we can rebuild an adult education movement. Such a movement can have an impact, in the first instance, on the lives of adults and youth who can immediately contribute to change in their communities. Therefore, our hopefulness should not be based on the government's latest promise but on the lessons we have learnt from past experience, from understanding the present context, and for strengthening the activism that has endured throughout the last 20 years of democracy. Such activism continues to be the only way to effect real change. <sup>18</sup>

*At the time this article was first published in the Post-School Education Review 1(1), July 2014, Sberi Hamilton was a researcher at the Centre for Education Rights and Transformation.*



# Financing universal health care in SA

Besides increasing taxes to raise money for universal health care in South Africa there are other ways in which government can regulate to curb high medical costs. **Shakira Choonara** and **John Eyles** draw examples on how this can be done from across the world.

## INCREASED TAXES FOR UHC

The World Health Organisation (WHO) argues that Universal Health Coverage ensures that all citizens obtain health services without suffering financial hardship to pay for care. Over the last decade a number of low- and middle-income countries (LMICs) have been working towards implementing National Health Insurance (NHI) schemes to achieve UHC adds S Mohammed. An effective financing system is key to achieving UHC. Globally, government revenues are the most common form of funding health services. Some examples of tax-based health-care systems include Norway, Denmark, Canada, Ghana, Kenya and Nigeria. There are several advantages and disadvantages linked to tax-based health systems. A notable advantage is that resources are pooled across a relatively large population, writes W Savedoff. A major disadvantage is that the tax base only covers the formal sector overlooking informal sectors in developing countries. Internationally, the sustainability of tax-based health systems has been questioned. It is argued that economic growth is critical to ensuring sustainability.

South Africa's racially segregated past (apartheid) resulted in a fragmented health system. The transition to democracy did not adequately address the injustices of the past. Inequities in health care continue to persist especially along socioeconomic and racial lines. To address the injustices of the past, the SA government has committed to achieving UHC through an NHI scheme. According to researchers, M P Motsoso and R Fryatt specific objectives of the NHI include to:

1. improve access to quality health services for all South Africans, whether they are employed or not
2. pool risks and funds so that equity and social solidarity will be achieved through the creation of a single fund
3. procure services on behalf of the entire population and efficiently mobilise and control key financial resources
4. strengthen the under-resourced and strained public sector in order to improve health systems performance

This article is centered on objective 4 of the NHI. Similar to other countries, the government has proposed increased taxation as a mechanism to fund NHI. SA has a

total population of about 53-million people, of which 15.5-million individuals are registered as taxpayers. Those working claim they cannot afford increased taxes or continue to pay for medical aid membership due to the increase in medical scheme expenditure (contribution rates). Coupled with this, SA has an extremely high unemployment rate (23.4%) and poor economic growth forecasts according to StatsSA. Given the economic challenges facing SA, increased taxation to fund NHI is not yet feasible. Instead, a focus should be placed on redistributing resources between the private and public health sectors.

SA is characterised by poor health outcomes despite spending 8.5% of its gross domestic product (GDP) on health – this is above the WHO 5% GDP recommendation. The private sector contributes to 4.1% of SA's total GDP spend. This covers approximately 16.2% of the population (8.2-million people are covered by private medical schemes). The remaining 4.2% of GDP is spent on the public health sector which serves 84% of the population (42-million people). Unregulated costs and high profits of the private health-care industry

are seen to have contributed to a severely skewed health-care system in SA, argue Cosatu and Section 27.

In light of these inequalities and the need to finance UHC it is recommended that:

- Redistribution of financial resources from the private sector to the public sector by regulating private health-care costs through a negotiated national fee schedule.
- Enhancing social solidarity (building a welfare state which is devoted to addressing needs of those who are disadvantaged in society) particularly amongst tax-payers and stakeholders in the private health sector.

### PRIVATE SECTOR PRINCIPLES VERSUS UHC

Adam Smith's notion of liberalism advocated for a minimal role of government in economic matters. In the 1970s this idea re-emerged and was coined as neo-liberalism. Neo-liberalism is based on the assumption that private market mechanisms of supply, demand and price are more efficient than public mechanisms because they generate profit. Neo-liberalism does not advocate for the welfare of people or communities instead it focuses only on individual gain/profits/choices through competition.

International literature indicates that neo-liberal policies have had negative implications for countries such as China and the United States. Prior to privatisation, the Chinese health-care system made great progress. Infant mortality fell from 200 to 34 per 1,000 live births and life expectancy increased from about 35 to 68 years. In 1984, the Chinese government introduced free market reforms into the economy and in the health sector. Health-care organisations were profit entities in a largely unregulated market. State spending on health-care fell from 32% to 15% between 1978 and 1999. The focus on profits resulted in an

explosion of sales and overuse of expensive pharmaceuticals and a rapid increase in health-care prices. China's privatised health system now suffers from soaring costs. Neo-liberal reforms did not yield better quality, accessibility or choice in China. The government has now moved towards abandoning market principles in health-care and has committed to providing affordable health-care for all by 2020.

Similarly, the US is characterised by an inefficient private health-care system – rapidly rising costs, 37-million people are without adequate health insurance and a further 53-million people are uninsured. The US health-care system has made some progress since the onset of 'Obamacare' – the Affordable Healthcare Act. For now, it is argued that reforming the US context is off to a promising start, however progress is still dependent on how many states will accept these changes.

In developing countries, there have been similar experiences. Evidence from Chile and Colombia suggests that neo-liberal reforms did not improve quality of care, equity or efficiency. Initially, the newly-elected government in SA committed to several primary health-care (PHC)/UHC initiatives. A few years later, the government adopted neo-liberal economic policies which severely limited government spending. The neo-liberal argument of efficiency does not hold ground – the private health sector is marked by escalating costs and serves a relatively small percentage of SA. Even those covered by private medical insurers face high out-of-pocket payments/expenses when seeking health care. While tax-rebates (partial reimbursement of private medical costs) are offered for out-of-pocket payments, high medical costs continue to place immense strain on those covered by medical insurers.

Expenditure per medical scheme member in the country has increased between 7 and 9% (above inflation) in the past three decades. It is argued that doctors, especially specialists and the high cost of medications are largely responsible for driving up the costs of health care in the private sector. The patent process for drugs and medical technology is fundamentally flawed. This has led to private manufacturers holding patents which is contributing to high costs. Coupled with this, specialist physician rates are extremely high. In 2010 medical aid schemes paid an average US\$400,000 (R5,538,440) to each specialist in the country. Studies indicate that financial rewards are much higher in the private sector – salaries are up to six times higher.

Medical professionals deny they are responsible for high costs in the private sector and have indicated that they want to release a study which shows that fees are not excessive. South African paediatric neurosurgeons (doctors who specialise in head, spine and nervous system of children) argue that insurance costs are too high and that 20% of their gross annual revenue is directed towards insurance. Medical negligence lawsuits have also been on the increase and have contributed to making private practice unprofitable. This article argues that the private sector does need to be regulated bearing in mind the costs which health-care providers face.

Broadly, neo-liberal principles argue that competition in linked to efficiency. This has not been the case in the South African context where private health-care providers are argued to collude on prices/fees. For instance, there was collusion between hospital mergers by three main private groups in the country. A health-care enquiry has been set up by the Competition Commission of South Africa to investigate cost

escalation in the private sector. It is anticipated that the investigation will run for two years (2013 to 2015), writes J E Doherty. The work of the Competition Commission will be pivotal in drawing out the challenges facing the private sector.

### **DIRECTING RESOURCES TOWARDS UHC**

It is important to note that there are some committed medical professionals who set reasonable fees and are not motivated by higher incomes/profit-gain. Most research points to the majority of medical professionals being motivated by profits or income differentials instead of social solidarity, argue Section 27 and J Ashmore. This problem is further compounded by the fact that practitioners in the private sector have free reign to determine tariffs. This is similar to other sub-Saharan African contexts: there is no legislation or regulation of hospital prices in Zambia and Uganda, adds Doherty. Professional boards such as the Health Professions Council of South Africa (HPCSA) and South African Medical Association (SAMA) do not prescribe regulatory tariffs. South African civil society has called on professional boards to help regulate these costs.

This article supports the call for the state to regulate fees in the private sector. In countries such as Canada, France and Japan, a negotiated fee schedule containing medical costs has worked relatively well, write E Barnard and many others. In Canada for example, health care is provided by the private sector and doctors charge for care on a fee-for-fee service basis. Doctors' organisations annually negotiate the fee schedule with each provincial health-care agency. In France, service fees are negotiated every year within a framework of national agreements concluded by representatives of health professionals, insurance plans

and the French state, according to V G Rodwin. Japan politically negotiates its fee schedule on a biennial basis: the fee schedule sets the price of procedures and drugs, and applies uniformly to all plans for reimbursement of virtually all hospitals and physicians, write N Ikegami and J C Campbell.

The provision for extra billing by healthcare professionals is a challenge for regulated fee-schedules, argue C M Flood and T Archibald. Extra billing refers to a system whereby a physician charges his or her patients an additional charge for services over and above the public health insurance plan. In France for example, negotiated fees are accepted by physicians – except those who have chosen the right to engage in extra billing. Up to 80% of physicians and specialists engage in extra billing. The South African government needs to ensure that when negotiating a fee schedule, extra-billing is disallowed. In Japan large increases in prices of procedures have decreased: there has been tight billing rules. For example, CT scans cannot be billed twice in a month and the fee for Magnetic Resonance Imaging (MRI) is reduced by 30%. The Japanese example is one way of tightening regulation – containing costs/ extra billing over and above the fee schedule. We strongly argue for private sector regulation to ensure that resources are used efficiently and re-directed towards funding the NHI.

### **CHALLENGES OF REGULATING THE PRIVATE SECTOR**

SA presently faces resistance by a number of stakeholders, including taxpayers and private medical professionals. Despite implementing a fee-schedule, profits/income differentials of stakeholders, particularly medical personnel, will be the most difficult barrier to overcome. Within the NHI programme, the SA Department of

Health (DoH) set a target of having contracted 900 general practitioners (GPs) to work in state clinics by the end of March 2015. Four years into the implementation of NHI only 175 doctors have been contracted. On average these GPs have been offered US\$40 per hour in urban settings and US\$50 per hour in rural settings. The government has allowed for GPs to voluntarily subcontract their services. GPs receive higher monetary gains in private practices in comparison to the public sector. In most instances higher reimbursement takes precedence over providing health services in the public sector.

In other contexts, profits supersede public health-care provision – in China a number of hospitals resisted reforms. In response, the government now allows private investors to own 20% of China's hospitals. The US government faces possible resistance to implementing its health-care reforms: private health providers fear reduced compensation and regulation of their services. In addition, US citizens fear that publicly-funded health care will lead to higher taxes. It is evident that to achieve UHC there must be strong political leadership and buy-in from all the stakeholders (the private sector, taxpayers and the government).

Perhaps the answer lies in adopting principles of social solidarity instead of neo-liberalism.

Strong political leadership is required to achieve the principles of social solidarity. Although the exact details between Scandinavian countries vary, social solidarity (considering the needs of those less disadvantaged – a welfare state) is the ideological basis for publicly-funded health systems which are successful in providing care to all citizens. While SA's NHI plans do advocate for social solidarity, there is clearly an imminent need to instil its core values ahead of profits/ individual gain.



# Dismissal on notice

## CONCLUSION

Neo-liberalism has had disastrous effects on the affordability and accessibility of health services globally and in South Africa. Presently in SA, the well-off have access to better quality privatised health services, while the majority of the population make use of a severely under-resourced public health system. Some solutions may include:

- Regulating private services through a negotiated fee-schedule is not the only solution to financing NHI, though it will be pivotal in redirecting resources from the private sector to the public sector.
- Reducing/regulating costs in the private sector will substantially reduce out-of-pocket payments/financial hardship, thereby allowing funds to be redirected to the NHI (with those who have reduced out-of-pocket payments contributing increased taxes with little or no greater financial burden).
- Extra-billing or excess charges should be disallowed going forward.
- For resources to be directed towards the publicly-funded system there must be buy-in among stakeholders (taxpayers and medical professionals). Strong political leadership, instilling principles of social solidarity, and building a welfare state instead of profit-gain will be central in achieving this. <sup>LB</sup>

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## Zim Supreme Court resurrects colonial ghost

In the recent case of *Don Nyamande and Kingstone Donga v Zuva Petroleum (Pvt) Ltd*, the full bench of the Supreme Court in Zimbabwe presided over by Chief Justice Chidyausiku handed down an earth-shaking decision. The decision, one of the most far-reaching labour decisions since independence in 1980, upheld the employer's right to terminate an employee's contract of employment on notice. This was despite the express provisions of section 12 B (1) of the Labour Act providing every employee with 'the right not to be unfairly dismissed', writes **Munyaradzi Gwisai**.

**F**or workers the decision was akin to the opening of the gates of hell. Within three weeks, thousands of jobs had been lost with figures varying from 5,000 by the employers body and up to 25,000 by labour federations. President Robert Mugabe felt compelled to recall Parliament from vacation to pass the fast-tracked Labour Amendment Act 5 of 2015 to deal with the effects of the decision. The Act had retrospective effect to 17 July 2015, the date of the judgment.

It is our contention that the *Zuva Petroleum (Pvt) Ltd* decision was inconsistent with the Labour Act and the new Constitution of Zimbabwe and signaled serious jurisprudential failure. It is a throw-back to classical and archaic common law which underpinned the primitive accumulation regime or 'chibharo' that facilitated the establishment of capitalism in Zimbabwe. This was based on the super-exploitation of cheap, docile and unprotected black labour.

The *Zuva* decision must be further seen in the context of the neo-liberal free-market path of the Zimbabwean ruling classes in the last two decades, as a response to a debilitating economic crisis.

### BACKGROUND

Appellants were managerial employees of Zuva Petroleum (Pvt) Ltd, the successor to BP Shell. After the employees declined a voluntary retrenchment offer, the company applied for compulsory retrenchment to the Retrenchment Board. The latter is a statutory body chaired by a state nominee and with representatives from employers' organisations and trade unions. The Board made recommendations to the Minister of Labour who made the final decision on whether to approve the retrenchment and on what terms.

The Board ordered further negotiations for a period of 21 days. Before expiry of the set days, the company dismissed the employees on notice, in terms of their contracts of employment. The dismissals were reversed by an arbitrator on the grounds that termination on notice was in violation of the employees' right to protection from unfair dismissal under section 12B of the Labour Act. On appeal, the Labour Court reversed this decision holding that section 12B did not oust the employer's common law right to terminate the contract of employment on notice. This right was also recognised by section 12(4) of the Act which provides minimum statutory periods within which a 'notice of termination of the contract of employment (is) to be given by either party.' On appeal to the Supreme Court, the issue was whether the employer's common law right to terminate an employment contract on notice was abolished by virtue of section 12B as read with section 12(4) of the Labour Act?

### BASIS OF COURT DECISION

The Supreme Court upheld the Labour Court ruling that the common law right of the employer to terminate contracts on notice was not ousted by section 12B of the Act. In brief the basis of the court's decision was:

1. The appellants' case was predicated on a wrong proposition that 'dismissal means all forms of termination of employment'. Rather 'dismissal' is only one of several methods of termination of contracts of employment.
2. Termination on notice under the common law was one such method of termination and one which was distinct from 'dismissal' under section 12B. The later section dealt only with 'dismissals' in terms of 'an employment code of conduct or a national code of conduct'.
3. Using the golden rule of statutory interpretation there was nothing either expressly or by necessary implication in the wording of section 12B of the Act that abolished the employer's common law right to terminate employment on notice.
4. That the existence of section 12(4) showed that the Act recognised the common law right.

### WHY SUPREME COURT GOT IT WRONG

With respect, the decision of the court was wrong for several reasons. First, the court's decision was based on a narrow and erroneous definition of 'dismissal,' both under the Act and common law.

Under the Act, it is not correct that section 12B deals only with misconduct or disciplinary-based terminations. The section, like similar provisions in other jurisdictions, encompasses both disciplinary terminations, and certain non-disciplinary based

terminations. The latter includes what are termed 'deemed dismissals'. These include:

- a. Non-renewal of a fixed-term contract and the employee had a legitimate expectation of being re-engaged and another person was engaged instead of the employee – see section 12B(3)(b). A similar ground is recognised in South Africa, and England.
- b. Where the employee terminated the contract with or without notice because the employer deliberately made continued employment intolerable for the employee per section 12B(3)(a). A similar ground is recognised as an instance of unfair dismissal in South Africa and England.

A close scrutiny of section 12B(2)(b) shows that it encompasses non-disciplinary based terminations. Section 5 of the Labour (National Employment Code of Conduct) Regulations, S.I. 15 of 2006 stipulates that an employer can only terminate an employee's employment on the basis of the employment codes, or by virtue of a mutual agreement, or on expiry of a contract of fixed duration or performance of an agreed task. Note that previously the predecessor regulations allowed termination on notice by the employer, but only after approval by the minister. This was dropped in the Regulations that followed the adoption of Act 17 of 2002. This was a clear indication of the legislative intention to do away with this brand of termination of contracts of employment. Unfortunately the court did not even carry out an analysis of the implications of section 5 of S.I. 15 of 2006.

Second, the court's definition of 'dismissal' was not consistent with common law. Under both Roman-Dutch common law and English common law, the concept of 'dismissal' refers to instances

of termination of employment at the initiative of the employer, whether on notice or without notice, that is summary dismissal.

The aspect of notice is not the key factor but rather that the termination has been initiated by the employer. This distinguishes it from termination at the initiative of the employee, that is resignation, with or without notice.

Unfair dismissal labour enactments in other jurisdictions and ILO norms have built on this common law definition of dismissal. This is so in South Africa and the UK. Authoritative texts also describe termination on notice by the employer as 'dismissal'. For South Africa see Grogan and Rycroft, and Jordaan for English law.

The doctrine of 'fair dismissal' is derived from ILO conventions, which provide for the concept of substantive and procedural fairness, in particular the Termination of Employment at the Initiative of the Employer Convention, 1982. Article 4 provides for substantive fairness that is there must be a valid reason for any termination by the employer. It reads: 'The employment of a worker shall not be terminated unless there is a valid reason for such termination connected with the capacity or conduct of the worker or based on the operational requirements of the undertaking, establishment or service.'

Article 7 provides for the requirement of procedural fairness that is the employee should be given 'an opportunity to defend herself/himself...'

In terms of the above, the key determinant of substantive fairness is that the employer must provide a valid reason for any termination it initiates, whether because of the employee's conduct or capacity or for operational reasons.

Once it is accepted that the term 'dismissal' does in fact include termination of the contract of employment on notice by the employer, the premises on which the court's decision was built falls away. In such a situation, contrary to the court's argument that there is nothing to show so, the very definition of 'dismissal' includes termination on notice by the employer, and therefore the 'right to protection from unfair dismissal' under section 12B(1) must of necessity include protection from unfair termination on notice by an employer.

The argument that why should section 12(4) of the Act refer to termination of contracts by employers, if not an indication of recognition of the common law right, is not convincing. An employer could use the section after approval of retrenchment in terms of section 12(5) of the Act. Or in terms of a mutual agreement of termination under section 5(c) of S.I. 15 of 2006.

### COMMON LAW IMPLIEDLY OUSTED

The third weakness of the decision is that it failed to see that the very existence of the right to protection from unfair dismissal of necessity must imply the ouster of the common law notice rule. The employer's common law right, called the Notice Rule, cannot mutually co-exist with the statutory right to protection from unfair dismissal and the objectives of the Labour Act.

This is at two levels. The notice rule under common law conferred on the employer the right to arbitrarily end the employment relationship without a good reason, a bad reason or any reason at all. This is why it gave the employer so much power in the employment relationship. An employee who refused variation of their contract where the employer so desired,

risked losing their job. Similarly affected could be a militant trade union or workers' committee representative or a woman who turned down her bosses' sexual advances.

On the other hand, the right to protection from unfair dismissal provides both procedural and substantive protection from arbitrary employer conduct. Thus section 12B(2) imposes an obligation on the employer to follow the procedure set out in employment codes where the termination is based on reasons of the employee's conduct. This is affirmed in section 5 of S.I. 15 of 2006. Section 12B(2) is therefore similar to a contractual job security clause which compels an employer to follow a particular procedure as a pre-condition 'of exercising the power, under the contract, to discipline or dismiss an employee' suspected of misconduct.

As argued by Dearkin and Morris, if the protection provided by a clause like section 12B(2) is to have any effect, it must be construed to provide both procedural and substantive rights. There is not only compulsion on the employer to follow the procedure, but such clause impliedly restricts the right of the employer to circumvent such procedure by dismissing an employee for no reason at all by simply invoking the right to give notice under the contract. '... if the protection against arbitrary discipline is to mean anything, the employer must have impliedly given up the right, which the notice rule otherwise confers, to end the contract without needing to have a reason for doing so.'

The effect of the *Zuva* decision is to deprive the right to protection from unfair dismissal under section 12B 'virtually all legal force'. Why would any employer bother with the long and expensive route of section

12B(2) if it can do so easily and cheaply by terminating on notice? Such interpretation provides the employer with the power to outflank section 12B(1) by simply giving notice of termination to the employee. That surely could not have been the intention of the legislature, especially when its interpretation clause under section 2A(2) is considered.

The same consequences occur in all other specially provided methods of termination under the Act, which would be rendered redundant. These include retrenchment under section 12C or the rights of sick employees under section 14(4). Confronted with this reality the Labour Court backed down in extending the *Zuva* decision in another case where the employer abandoned mid-stream a retrenchment exercise in favour of termination by notice. But jurisprudentially, there is little to distinguish *Mkandla* and *Zuva*, as both involved abandonment of retrenchment exercises in favour of termination on notice. A valid distinction can only be drawn if the common law right of the employer to terminate on notice, that is without reason, is subordinated to the imperative of giving a valid reason for retrenchment as required under section 12C of the Act or Article 4 of C 158.

But the implications go further. Because the notice rule allows the employer to dismiss for no reason, an employer can equally circumvent the onerous special rights of employees under Part II of the Act or the basic human rights enshrined under section 65 of the Constitution by dismissing on notice. The employer can therefore get away with victimisation of undesirable union activists or discriminating against women by resort to the notice rule.

Upholding the common law notice rule over a broadly-defined section 12B, therefore potentially opens the floodgates for the subversion of those very rights the legislature and Constitution have specially protected.

Such an outcome is clearly inconsistent with the purpose of the Act and the interpretation model under section 2A(2). Inexplicably the court did not resort to this express provision of the Act preferring the common law golden rule. The section provides: 'This Act shall be construed in such manner as best ensures the attainment of its purpose referred to in subsection (1).'

The objectives of the Act include giving effect to employees' fundamental rights; promotion of fair labour standards and securing a just dispute

resolution system. Only an approach that sees the common law notice rule as implicitly ousted by the right to protection from unfair dismissal, can achieve the above.

Equally under the new Constitution, courts are required to interpret the Constitution in a manner that promotes the enshrined rights. The courts must also develop common law to advance the same in terms of sections 46(2) and 175. An interpretation that favours the old classical common law notice rule potentially subverts the labour and equality rights under the Declaration of Rights. The common law notice rule that the court favoured is clearly inconsistent with a labour law system based on normative values of social justice and democracy in the workplace or a Constitution with a Bill of Rights that recognises labour rights as basic rights. The common law was developed under a value system where these ideals were alien. It was shaped and influenced by contrary values of slavery under classical Roman law and the medieval Masters and Servants laws of feudal Europe. <sup>18</sup>

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