Academic freedom and racial injustice: South Africa’s former ‘open universities’

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Abstract
The article critically re-interrogates three high profile cases of white racism at South Africa’s former ‘open universities’ to highlight the way in which existing debates around academic freedom fail to come to terms with questions of racial injustice after apartheid. The cases covered are the Makgoba affair at Wits, the Mamdani affair at the University of Cape Town, and the Shell affair at Rhodes. It is argued that the genuine transformation of higher education requires recognizing and addressing the dynamics of systemic white racism.

INTRODUCTION
We have set out on a quest for true humanity, and somewhere on the distant horizon we can see the glittering prize ... In time we shall be in a position to bestow upon South Africa the greatest gift possible – a more human face. (Steve Biko 1978, 98).

The meaning of ‘academic freedom’ in post-apartheid South Africa has been a topic for debate among a number of scholars in the country. It remains, however, a highly contested and in many ways unclear concept. Whilst there is little disagreement over the accepted meaning of the term over the apartheid years – the arguments of T. B. Davie being centre-most here – the same cannot be said for the current status of the concept. It seems that much needs to be done to invest this concept with strong meaning today; at least this is what will be argued in this article.

A number of prominent South African scholars have engaged in attempts to clarify and sharpen the contemporary meaning of academic freedom; first and foremost are a number of papers by the University of Cape Town (UCT) political theorist, André du Toit (2000; 2001), as well as important contributions from Roger Southall and Julian Cobbing (2001; 2006), and Kristina Bentley, Adam Habib, and Sean Morrow...
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(2006). Taken together these papers progressively advance understanding, but, it will be suggested, fail to take the debate far enough to come to terms with what must be seen as foundational to any attempt to ground the notion of academic freedom in the South African context: systemic white racism. In essence, it is maintained that prevailing conceptions of academic freedom in South Africa are inadequate when set against past and present racial injustice.

To develop this argument, the aforementioned works are critically reviewed in turn, and then a number of case studies – cause célèbre at formerly labelled ‘open universities’ – are used to show just what existing accounts elide and evade. Centrally it will be argued that the cases – namely, the Makgoba affair at Wits, the Mamdani affair at UCT, and the Shell affair at Rhodes – can only be seen to make sense when placed within a reformulated notion of academic freedom that recognizes and speaks to white racism and racial injustice. Such a reformulated notion of academic freedom will be shown to have significant impact on how the debate over the transformation of higher education should be conducted: it demands a more universalistic and humanistic (normative) level of engagement.

THE MEANING OF ACADEMIC FREEDOM

The T. B. Davie formulation of ‘academic freedom’ was advanced in the 1950s, during the years of grand apartheid and ever-increasing state encroachment into the area of university education. This was a time when the National Party sought racial (and ethnic) ‘separate development’ for the tertiary sector: indeed in 1956 Dr. H. F. Verwoerd declared that ‘Where there is no segregation as is the position at certain universities, it must be established or enforced’ (cited in *The Open Universities in South Africa* 1957, 4). Specifically, the Extension of University Education Act 45 of 1959 created four new separate racially-segregated university colleges and imposed statutory racial constraints on the admission policies of the ‘open universities’. It was in this context that the ‘open universities’ rallied together under the banner of ‘academic freedom’ to resist such repressive state intervention. And, accordingly, T. B. Davie proposed – in classic liberal terms – that the ‘open universities’ must be vigilant to defend ‘our freedom from external interference in (a) who shall teach, (b) what we teach, (c) how we teach, and (d) whom we teach’ (cited in Du Toit 2001, 2).

Whilst there are some within the academy who maintain that this meaning of academic freedom is commonly accepted and remains the correct ideal, that it is ‘the standard South African criteria for academic freedom’ (Higgins 2000), not all scholars are happy with this proposition. Most notably, to Du Toit (2000; 2001) the problem with this definition is that this formulation was too narrowly cast: it overly centres on questions of institutional autonomy and ignores the question of internal threats to academic freedom, and, more than this suffers from a lack of substantive philosophical insight. Part of what is at issue here is the change in circumstance: with the fall of apartheid the ‘open universities’ can hardly be said to occupy the
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same political terrain: they no longer stand in opposition to a repressive racially-ordered state; although this is not to say that higher education was, as a result of the transition to democratic rule, fundamentally deracialised. Certainly the ‘open universities’ aspired to be ‘non-racial’, but – in fact – they never were (Saunders 2000; Shear 1996): and, as the cases discussed below clearly indicate, today they are not released from apartheid (understood in systemic rather than legislative terms). The ‘open universities’ were never representative of the South African nation, this incontestably remains so – for example, analysis of the professoriate clearly indicates that appointments remain racially skewed in favour of white people.

Rather than explicitly seek to relate academic freedom to these latter concerns, Du Toit endeavours to recontextualize the meaning of academic freedom by recognizing the import of the domestic political changes, placing them alongside the significant global changes that have swept through the higher education sector in neo-liberal economic times. Centrally, to Du Toit the threat to academic freedom is now not so much from the South African state, but from how new public management principles have impacted on universities internal decision-making processes such that they now represent the primary challenge facing the community of scholars. Post-apartheid the historically ‘open universities’ have not been subject to undue intervention from the state, but as Du Toit (2001, 3) puts it, ‘the university has been affected internally by a managerial revolution’, that has resulted in ‘defects in the quality of intellectual life’. Hence, for Du Toit (2000, 129) the ‘key issue’ for academic freedom today is ‘how to define and strengthen internal accountability, bearing in mind the growing pressures for forms of external accountability’.

Over the last two decades or so, a new managerialism has indeed witnessed academics surrendering power and authority to a new breed of professional, highly-paid, and bureaucratically-inclined university administrators (Bertelsen 1998). Such developments are, to many, a serious cause for concern, and to some extent do drive many of today’s social tensions and conflicts within the higher education sector. But it would be stretching the point to argue that this displaces or replaces the import of how systemic racism confronts and corrupts academic life. Du Toit (2000, 128–129) is right to conclude that ‘the traditional liberal discourse on academic freedom can no longer suffice’, but he himself does not provide a convincing ‘alternative conceptualization of academic freedom’. This, it can be argued, is due to the fact that Du Toit misses the point that it is not so much a question of how ‘traditional liberal discourses’ have been challenged by managerialism (real though that is), but rather it is more a question of how the traditional liberal understanding is itself deeply (inherently) flawed – as it was formulated in abstraction from the question of racial injustice. At the end of his 2001 paper on ‘Revisiting academic freedom’, Du Toit did suggest that we turn the ‘question around’ and ask: ‘is the intellectual colonisation and racialisation of our intelligentsia and academic institutions not a historic reality, and if so are these not threats to academic freedom?’ (Du Toit 2001, 9). But he does not begin to provide any intellectual tools that would enable us to answer this crucial question.
It is precisely by starting to address this point that Roger Southall and Julian Cobbing (2001; 2006) are able to present a deeper reading of academic freedom through identifying the phenomenon of ‘liberal racialism’ – a soft way of presenting what should more directly and accurately be called ‘white racism’. Southall and Cobbing, through drawing on the insights of the Black Consciousness critique of white liberalism as representing little more than symbolic and largely hollow opposition to apartheid (see, in particular, Biko 1996, 87–98), take a first step towards providing a more powerful insight into the meaning of academic freedom through their particular take on the ‘assault on academic freedom’ as played out in the Shell affair at Rhodes University, but fall short in following Black Consciousness thinking all the way to seeing white racism as the central analytical frame.

What is distinctive about Southall and Cobbing’s paper, first published in *Social Dynamics* in 2001, is that whilst they do not under-estimate the new role of the kind of administrative authoritarianism at the centre of Du Toit’s formulation, they are not oblivious to understanding that the ‘open university’, in their case Rhodes, is – and under apartheid could not escape being – a radicalised and racist institution. As they put it: it is ‘a straightforward sociological observation that although the open universities may have committed themselves to liberal values, their liberalism was filtrated through structures which were racially based . . . Theirs [white academic and administrative staff] was a liberalism which was qualified by their socialization into, and location in, a situation of racial privilege. In short theirs was a “racial liberalism”’ (Southall and Cobbing 2001, 7). This has meant that academic freedom has been compromised more than the liberal formulation could possibly imagine; with dramatic consequences for all those academics who dare to publicly – and virtuously – engage with this reality. Southall and Cobbing (2001, 4) seem content, though, to restrict their ‘present purpose’ to just ‘extend Du Toit’s analysis by arguing that the managerial revolution which is taking place in our universities increasingly requires that the managers must themselves be made accountable to academics as well as to society at large’.

A further, and more recent, contribution to the debate over the meaning of academic freedom in post-apartheid South Africa has come from three scholars who at the time of writing their report were attached to the Human Sciences Research Council in Pretoria: Kristina Bentley, Adam Habib, and Sean Morrow. Reviewing the issue for the Council on Higher Education they make the important point that the way to take the debate forward is to revitalize the normative content of the concept of academic freedom: something that can ‘begin with the republican conceptualization of academic freedom’ (Bentley, Habib, and Morrow 2006, 24).

In his earlier papers André du Toit suggested – without sustained interrogation – that the liberal formulation of academic freedom, largely negative and rather individualistic in scope, be supplanted with a ‘thicker’ republican notion – a conception ‘associated with free public speech as a civic virtue and responsibility ... [it] is not antithetical to notions of social accountability; on the contrary it is inherent in academic freedom as a civic virtue and responsibility that it must give a proper
account of itself to the public at large’ (Du Toit 2001, 8). Building on this insight of the need for a positive deontological account, Bentley, Habib, and Morrow (2006, 24) proceed to argue that today a relevant conception of academic freedom ‘needs to be coupled with reform of the university system, meaning protection of academic freedom while coming to terms with prevailing economic and political realities’.

The kinds of structural reforms they have in mind, however, relate to such matters as improved academic remuneration, entrepreneurial practice, and income diversification, not the racialised structures of power and authority. They talk about the need to ‘realise a dispersal of power’ by ‘empowering stakeholders’ in the higher education system (Bentley, Habib, and Morrow 2006, 26), but it is hard to see how this is likely to come about as a result of their specific recommendations. Much more is required: for, it is not enough to argue for a more positive normative account of academic freedom without giving substantive content to what the pursuit of truth and justice essentially entails for a society coming out of one of the most iniquitous histories the world has ever seen.

It is our argument that what is required here is to see academic freedom as being tied to the virtue of intellectually confronting, exposing, and transcending the injustice of systemic white racism; and, at its core, this requires a public intellectual duty to pursue ‘a consistent and exacting universalism’ (Singh 2004, 42), a commitment not to shy away from the fact that even the formerly ‘open universities’ cannot be seen to be independent of and disconnected from questions of racial privilege and advantage for white people, oppression and exclusion for black people. For, decade after decade, the ‘open universities’ served hugely disproportionate numbers of white people, enabling cumulative advantages that have fuelled economic and social inequality. As will be seen, it is exactly such virtuous concerns that led the three main protagonists in the case studies reviewed below into a racial quagmire far deeper than they could have ever foreseen.

John Higgins (2000, 116), of the University of Cape Town, is right to highlight that ‘the university is the one establishment in society whose function is the pursuit of truth’, but in South Africa it is – as the experiences of Makgoba, Mamdani, and Shell illustrate – naïve to believe that the university is itself neutral or impartial in all this, and is willing to hear the truth when it speaks to question its very own being. More particularly, it would seem, that to question the justice of how those attached to the formerly ‘open universities’ have, by design or default, accumulated wealth, privilege, and opportunity at the cost of people not designated white, is anathema to these institutions. And yet without facing-up to such racial injustices there can be no hope of ever genuinely transforming the former ‘open universities’ into genuinely ‘South African’ universities that provide a common home and space for all – let alone a racially just society.
CASE STUDIES OF WHITE RACISM IN THE ACADEMY

Writing in the pages of Social Dynamics in 1998 in relation to the Mamdani affair at the University of Cape Town, Jonathan Jansen proposed ‘that a better way to understand transformation might be through the study of critical incidents . . . [as] one understands transformation much better when someone throws the proverbial “spanner in the work”’ (Jansen 1998, 106). Concurring with this insight and approach, we present three case studies that enable us to bring out the issues discussed above. The critical cases all help bring out how the underlying issues around the meaning of academic freedom at the former ‘open universities’ relate to questions of white racism and racial injustice; for, each case reveals the overarching reality of racial injustice.

The cases covered – the Makgoba affair at Wits (1995), the Mamdani affair at UCT (1997), and the Shell affair at Rhodes (2001) – expose racial injustice in a double sense, in that (1) the protagonists dramatically highlight patterns of racial injustice within these universities and are then (2) themselves dealt with in a racially unjust manner by the very individuals and structures that they subject to critique. As will become apparent, these cases bring out a sense of the bad faith of white liberals and their investments in white supremacy as well as their rather paternalistic approach to Black inclusion.

For a long time it was assumed that the ‘open universities’ were above political reproach as it has been widely acknowledged – even by the African National Congress and South African Communist Party – that they played their part in the struggle against apartheid by defying apartheid legislation, admitting black students, and advancing progressive social scientific research (Nzimande 1996). So, to suddenly be told otherwise – that they are better seen as racialised institutions, was never going to be well received. But this is exactly what William Makgoba (South African), Mahmood Mamdani (Ugandan), and Robert Shell (American) – all outsiders to their institutions – proceeded to do. All three criticized in good faith, respectively Wits, UCT, and Rhodes, for their racially mediocre, nepotistic, and paternalistic nature and practices. In other words, they took on those who had benefited from the many processes integral to systemic racism.

Consider, just one telling quote from each of these academics: Makgoba (1997, 80) argued that ‘a significant majority of the academics here [at Wits, and by definition predominantly white] have no international experience or recognition. They have been tested only in this institution, so their standards are merely their own’; Mamdani (1998, 14) declared that ‘it is time to question an intellectual climate which encourages the inmates of this institution [black students at UCT] to flourish as potted plants in green houses, expecting to be well-watered at regular intervals’; whilst Shell asserted that ‘the African student at East London [campus] is expensive cannon fodder for the Rhodes coffers ... the African student body, is also politically correct window dressing for a wholly false image of transformation’ (The Shell Report 2001, 28). What happens to well-established scholars who make such arguments? Is there any attempt to assess their truth value? We shall see how what
were virtuous interventions came to be seen as merely audacious. In retrospect, it is clear that all three protagonists could not have been fully aware of what they were taking on – and that, in fact, racial injustice ran far deeper than they uncovered.

THE MAKGoba AFFAIR AT WITS, 1995

William Makgoba, a world renowned medical scholar, arrived at the University of the Witwatersrand, Johannesburg, on 1 October 1994; he was specifically head-hunted from the United Kingdom to fill this post and was the University’s first ever African Deputy Vice-Chancellor – more than that he was the ‘first Deputy Vice-Chancellor in its seventy-two year history to be recruited from outside the university’ (Makgoba 1997, 58). Makgoba was enthusiastic about this appointment, and the Wits community was proud to have an Oxbridge educated scholar – at least, at first.

Initially accepting the university’s self-image as a world-class university with excellent standards, it became an issue of some concern to find that the reality did not exactly match the image: that in a number of ways the institution was riddled with signs of white mediocrity. In question, to Makgoba, were the qualifications of Wits academics (the lack of doctorates amongst senior staff), black student representation (unfairly skewed and with low exit rates), the level of nepotism within power structures (too high), the level of administrative competence (outmoded), and the commitment to Africanisation (non-existent). Wits University was seen to mainly serve ‘only one community – English-speaking White people from the wealthier areas of Johannesburg’ (Makgoba 1997, 76), and to suffer from a superficial understanding of racial politics. In fact, Makgoba argued that power at Wits ‘is concentrated in the hands of a small, highly inbred elite’ (1997, 79) – that by force of history was all white.

As Makgoba increasingly aired these concerns – internally within the University’s newsletter, externally through the mass media, with feature articles in the press – more and more Wits academics and administrators felt challenged, if not threatened. Attempts to defend these allegations – such as a stringent response from Charles van Onselen (a prominent social historian)– came over as unconvincing and were, issues of Africanisation aside, well countered by Makgoba. Rather naïvely, perhaps, Makgoba ‘was at least hoping that South African academics would soon face the truth and facts and discover how far behind in organizational skills, leadership, management and academic excellence they are’ (1997, 74). Instead, he would find out what many black South Africans have found time and again: that even in a post-apartheid South Africa one cannot win if you take on the weight of systemic white racism.

More than anything, the way in which Wits chose to deal with Makgoba vindicates the charge that Wits has a long road to racial transformation. What effectively amounted to a witch-hunt against Makgoba was instigated by what the media dubbed ‘The Gang of 13’ – thirteen senior academics (that included eight Deans and one Registrar), who with one exception were white; and who under the guidance of Charles van Onselen, and with the tacit approval of the Vice-Chancellor, engaged in
the kind of unethical behaviour which would – outside of a racialised setting – have resulted in professional outrage, widespread condemnation, and disciplinary action.

In essence, it was resolved that Makgoba must be forced out of office, as his appointment had proven to be a ‘mistake’. The pretext for this was an all out assault on the academic credentials of Makgoba – in the belief that there were bound to be discrepancies on his curriculum vitae (CV). Two American scholars from Bard College, James Statman and Amy Ansell (2000, 284), put it thus: ‘They [did] not object to the Deputy Vice-Chancellor because of ... his vitae, they [had] already found M. W. Makgoba sufficiently objectionable that they initiate a concerted search to find a reason, a discrepancy, a misrepresentation, an academic skeleton-in-the-closet through which to dispose of him’. This search, pursued in a highly unethical manner, unearthed ‘inconsistencies’ or misrepresentations in Makgoba's CV, or so it was claimed.

A dossier detailing the alleged discrepancies was presented to the Vice-Chancellor in full expectation that ‘appropriate’ disciplinary action be bought against the Deputy Vice-Chancellor. However, in his defence Makgoba (1997, 166) argued that the ‘wide-ranging allegations regarding my CV are a classic mixture of misrepresentation, misinterpretation, pettiness and Procrustean research’, and proceeded to photocopy the personal files of his accusers for cross-examination by his legal team. To this day, the contents of those files have not been made public, but in his book Mokoko assures the reader that he ‘discovered a lot of rot and juicy stuff’ (Makgoba 1997, 125).

Makgoba was able to defend his CV from the concerted attack upon it, but the affair had reached such a state of intensity that – as Makgoba came to recognize – there could be no victor and no vanquished; there could be no victory for Makgoba for in essence what he had taken on was more than just the Gang of 13, he had taken on the white South African liberal establishment, and for him to have exposed his accusers would have seen the implosion of the entire Wits power structure – something not desired by the ruling ANC-government. At the end of the day Makgoba took a ‘gentlemanly’ way out: most of the accusers chose to withdraw their allegations and Makgoba agreed to take the matter no further whilst accepting appointment to a research chair in the Faculty of Medicine.

What stands out from all this is the morally questionable double-standards of the accusers. For, whilst Makgoba had to endure the public airing of false charges against his academic reputation and scholarly standing, the files of his accusers containing – it would seem – some controversial material remained closed to public view; hence, at no time were the accusers ever subject to the kind of critical and forensic scrutiny that Makgoba had to endure. Furthermore, whilst many Wits administrators and academics were quick to condemn Makgoba on the basis of the Gang of 13’s dossier, there was a total lack of institutional censure for the ‘dirty tricks’ manner in which van Onselen sought to indict Makgoba’s CV – for in contacting a range of institutions and organizations to verify points on Makgoba’s CV this scholar was never upfront about his purpose, often presenting it as ‘esoteric social research’, and often gleaning
information through white referents who would not challenge his enquiry or who would inappropriately release confidential information. Such imbalances can only be asserted and maintained in a racialised setting. Why did the Gang of 13 escape disciplinary action for what can only be seen to be racially-executed and racially-motivated deeds? In South Africa, it would seem, such questions are best not asked. (This is not to say that the Gang of 13 paid no price – racism has costs for all involved: psychological stress, early retirement, and voluntary resignation from Wits for some).

Once Makgoba moved office, his initial claims against Wits University disappeared off the radar; a state of affairs that was in no small measure due to Makgoba’s lack of ability to provide a sustained social analysis which others could champion – and his one main contribution to the debate on transformation around ‘Africanisation’ was riddled with contradictions. As a medical scholar Makgoba has a particular penchant for using biological terms in writing about and analyzing South African society (words such as ‘organic’ and ‘body’ abound the pages of Mokoko), so it is perhaps fitting that the term ‘misdiagnosis’ be used to best describe his reading of Africanisation. For, Makgoba presents Africanisation in crude essentialist terms – far removed from the subtle and sophisticated arguments advanced by Makgoba’s former student classmate at the University of Natal’s Medical School (Non-European Section), Steve Biko. Willem van Vuuren (1998, 163) makes the point well: ‘Makgoba ... often employs formulations reminiscent of Biko’s writings to express ideas regarding the necessity of black self-determination .... However, some of these similarities appear to be superficial when compared to Adam [1973] and Nolutshungu’s [1982] portrayal of Biko’s black consciousness approach.’

In Mokoko: A reflection on transformation, Makgoba boldly declares: ‘When Europeans decide about their institutions, be they French, German or British, the first principle is to capture the essence of France, Germany and Britain. The primary principle of a South African university should be to capture and encapsulate the essence of Africa’ (Makgoba 1997, 194). First of all: just what is the ‘essence’ of Africa? And second: if European universities are to be defined in terms of their national essence, then why should South African universities be defined in terms of a continental (‘African’) rather than a national (‘South African’) essence (Van Vuuren 1998)? Is South Africa politically, culturally, and economically the same as the rest of Africa? Why should it be? It is not exactly clear why Makgoba is averse to promoting a ‘South African’ university – he just does not; this is his misdiagnosis.

To Steve Biko (1996, 51), though, it is precisely the ‘South African’ dimension – tied to a new fusion of cultures – that should be placed centre-stage if real change is to be effected. In South Africa, it is not a question of discovering the ‘essence of Africa’, it is – as African scholar Mahmood Mamdani (and the subject of the next case study) has eloquently put it – far more a question of creating a common citizenship, of effecting ‘an overall metamorphosis whereby erstwhile colonizers and colonized are politically reborn as equal members of a single political community’ (Mamdani 1998a).
THE MAMDANI AFFAIR AT UCT, 1997

In 1996, Mahmood Mamdani, a Ugandan of Indian origin with a Ph.D. from Harvard University and a number of highly regarded publications to his name (most notably *Citizen and Subject* 1996a), was appointed by the University of Cape Town as the A. C. Jordan Professor of African Studies; and the following year was subsequently given the post of Director of the Centre for African Studies. The Centre for African Studies was a research-oriented extra-curricula body that was not responsible for basic university teaching (Mamdani 1998b). So, Mamdani felt rather excited when in October 1997 he was approached by the Deputy Dean of the Faculty of Social Science and Humanities, Charles Wanamaker, with a proposition to design the syllabus for a foundation course on ‘Africa’; a task he entered into with enthusiasm and all good faith to make a progressive contribution to the University.

Mamdani worked six hours a day, over six days a week, to compile a draft outline for a new course, that he presciently entitled ‘Problematizing Africa’. This foundation-level course sought to cover seven key debates: including such questions as: ‘Was there an African civilization and culture before Euro-Arab domination?’ ‘Is “real” Africa only Black Africa, Equatorial and Bantu?’ and, ‘The colonial in the post-colonial: Drawing lessons from anti-colonial resistance and post-independence reform’ (Mamdani 1998b, 26–32). Central to Mamdani’s pedagogic conceptualization of ‘African Studies’ was the belief that one first had ‘to take head on the notion of South African exceptionalism and the widely shared prejudice that while South Africa is a part of Africa geographically, it is not quite culturally and politically, and certainly not economically’ (Mamdani 1996b, 3–4). Was, however, the University of Cape Town ready for such an intellectual challenge?

As events transpired, Mamdani’s new course was not well received by his colleagues. Indeed, a concerted attempt was made to keep what was seen as a problematic course off the curriculum; Mamdani was suspended from future involvement and teaching, and other scholars in the faculty designed a substitute course – entitled ‘Introduction to Africa’. In turn, in protest, Mamdani suspended institutional involvement with the University and proceeded to expose the racial dynamics at play in the whole matter. For, most disturbingly, the alternative course propagated all those things the ‘Problematizing Africa’ course had been designed to avoid. To Mamdani (1998b, 5–13) the substitute course was an introduction to ‘sub-standard’, ‘racialized’ thinking; altogether ‘carelessly designed’ and ‘a poisonous introduction for students entering a post-apartheid university’. As Jonathan Jansen (1998, 108) put it: ‘Mamdani’s principal thesis [was that the Introduction to Africa] course represent[ed] a colonial conception of Africa ... projected and reinforced through its particular selection of political geography, research methodology, pedagogical expertise, acknowledged authorities and political periodization’.

Mamdani, acting out of a sense of righteous indignation at the violation of his ‘academic rights’ also proceeded to express his honest professional judgment that the History Department at UCT was ‘weak’ and asserted that a number of Faculty members were ahistorical, lacked expertise, and suffered from a ‘total ignorance’
of key debates on Africa (Mamdani 1998b, 5–9). Regardless of the merits of such stringent and ‘impolite’ criticism, the real point is that Mamdani posed the question of deracialising African studies and transforming the curriculum only to be met with stonewalling tactics from a racialised structure of power and authority: all of Mamdani’s detractors ‘without noticeable exception’ were ‘white and English’ (Jansen 1998, 113).

As with the Makgoba case, having said all this is not necessarily to maintain that Mamdani’s particular take on how to Africanize the curriculum was correct. A number of points can be made in this regard: most importantly, South African exceptionalism does exist – not least with regard to the distinctiveness of the colonial encounter and apartheid (Stadler 1987), and it is only in confronting this that a ‘South African’ university can come into being. Consider this: how far removed is it to have a situation where you have one African scholar originally from Uganda confronting ‘a narrow’ group of white academics with a ‘cliquish camaraderie’ (Mamdani 1998b, 13), from the ideal situation of having unconstrained scholarly deliberation between black and white South African scholars where power relations are equalized? (A situation that UCT – like the other former ‘open universities’ – have subtly and sometimes not-so-subtly contrived to foreclose.) If, as Mamdani put it, ‘curriculum is identity’, then the question is one of who should define that identity: should it be a cliquish group of white academics? a US-trained African scholar? or the people of South Africa? We would contend that transformation cannot be generated from current conceptions of how to Africanize the curriculum -- with attempts to capture the essence of Africa or to mimic externally-developed African Studies -- but from a genuinely South African approach.

**THE SHELL AFFAIR AT RHODES, 2001**

Robert Shell, a white American academic, arrived at Rhodes University in 1996 from Princeton University, New Jersey. Appointed as a senior lecturer in History and as Director of the Population Research Unit (PRU, funded by the National Research Foundation), Shell was keen to contribute to post-apartheid South African society. The East London campus of Rhodes University (RUEL), where he and PRU were based, turned out, however, to be a most inauspicious place for the pursuit of first-class academic enquiry: and not just for progressive scholars such as Shell but all staff and students who happened to be black.

It all began with a sense of growing unease with the strange goings on with respect to the non-transformative management style at the East London campus: illogical course closures, nepotistic employment patterns, and racially-biased redundancies being some of the most evident concerns. Issues, again, that point to inbred white privilege, maladministration, and mediocrity within the former ‘open universities’ – at least that was the conclusion of Robert Shell who in August 1998 was part of a sub-committee that was tasked to formally investigate issues of governance (in particular relation to the structure and functions of the Board of Studies) (Southall and Cobbing 2001). The findings of this sub-committee, compiled in a highly
confidential report of over 400 pages – *The Shell Report* – were extremely damming. Southall and Cobbing (2001, 24) have summarized the ‘central thrusts’ of *The Shell Report* well: ‘firstly, there was clear evidence of “both nepotism and cronyism” at the RUEL campus, notably during the three and half years of the incumbent Director’s administration; secondly, there was “curriculum chicanery” where certain subjects were targeted for axing whilst others (Psychology, Education and Social Work) were unduly favoured; and thirdly “empire-building” with the connivance of the Director was “rife”’. To get a sense of just what was happening consider the case of the appointment – in a climate of academic retrenchments (that included a black South African scholar holding a doctorate and who held the position of ‘transformation officer’) – of a white part-time sports administrator when there were no sports facilities to speak of ‘apart from a ping-pong ball’ in the campus café (*The Shell Report* 2001, 20–21). Here, *The Shell Report* states: ‘It emerged that the appointee ... was the brother of [the lecturer in charge] of Social Work. The Director appointed ... the husband of [this lecturer] to the search committee. The Rhodes East London defence of this appointment is that [the person] was disabled (dyslexic) – and therefore a minority’. Such a disability did not, however, stop the subsequent appointment of this person to the post of editor of a student newspaper and he ‘quickly received promotion to full-time status as Student Advisor and is now among the best paid admin staff’.

More generally, the report disclosed that ‘retrenchments are most likely to affect people who have no relatives working in Rhodes. Single and/or minority status [here meaning not white] is next. Appointments work the other way. Marriage or blood ties to an incumbent staff member is a key to both job access and security’ (*The Shell Report* 2001, 20). *The Shell Report* did not stop there – it spoke an uncomfortable truth: that ‘there has never been an African voice in senior management, nor has a woman’s voice ever been heard in any of the corridors of power [at Rhodes University] before or since 1994’ (ibid., 2); adding that ‘Rhodes’ spirit and ideas of Anglo-Saxon superiority have pervaded the entire administration to this day’. Moreover, in words strongly redolent of Makgoba or Mamdani, *The Shell Report* declared that South African universities such as Rhodes do ‘not have any individuals trained in modern University administration’, they do ‘not yet have international best standards in University administration which is at a correspondingly low level of professionalization’ (ibid., 5). Shell was perhaps naïve not to recognize that for someone in his position some things are best not seen nor said, but there is no doubting his moral virtue in pressing the issue.

Overall, *The Shell Report*’s executive summary stated that: ‘It is strongly recommended that the findings presented here are taken up and corrected by the University’s highest authorities before the situation described becomes critical and the subject (perhaps) of a national scandal’ (*The Shell Report* 2001, 11). The case did indeed come to receive national attention, being well covered in the mainstream press; but the outcome was not a serious attempt to redress the racially-loaded problems at the East London campus – the result was the dismissal of Robert Shell.
It seems that at Rhodes University, even after the end of apartheid, white people can have their privileges reserved and maintained with impunity. Perhaps it could be no other way given the systemic nature of the problem: for when, as two other scholars have argued, Rhodes is ‘almost wholly controlled by a white hierarchy’ (Southall and Cobbing 2001, 19), and when as a later analysis by Shell calculated ‘fully 40 percent of White staff (who constitute 89 percent of the academic and administrative employees) at RUEL are related to each other’ (cited in Southall and Cobbing 2001, 32), where is the mobilization of institutional bias going to fall when push comes to shove?

Attempts to tarnish Shell’s academic qualifications – although pursued, were found to be groundless. So, enter the call for a report on the report – The Midgely Report – by a new style of managerialism with its regime of disciplinary practices so well identified by André du Toit (2000) as now constituting the greatest threat to academic freedom in South Africa. The Midgely Report challenged the standing of The Shell Report on the grounds that it ‘had no official status’ and that Shell had gone too far with his allegations – it denied the charges in The Shell Report and recommended that Shell face a disciplinary hearing by a neutral party. The upshot of which was that Shell was manoeuvred into a position whereby he faced a disciplinary hearing at which – in all seriousness – it was maintained by Rhodes’ advocate that the case had nothing to do with academic freedom, that Shell had to be adjudged in purely legalistic terms (Southall and Cobbing 2001). It was alleged that Shell had breached an agreement with Rhodes not to bring the University into public disrepute by criticizing the Rhodes administration in an e-mail addressed to the National Research Foundation – this, to him, essentially private communication was deemed a ‘legal publication’ and was taken as grounds for dismissal. With Shell gone, the real concerns raised by The Shell Report remain unaddressed.

**CASE ANALYSIS AND BEYOND**

It is not hard to see what comparatively-speaking these three cases have in common: they all expose a total reluctance – almost a will to ignorance – for white people to face up to how the former ‘open universities’ have been, and continue to be, affected by a systemic racism that has granted them unjust privileges at the expense of the material and psychological well-being of black people. And, we argue, it will only be when white people make an open attempt to become self-critical and understand this truth that a just way forward and academic freedom for all can begin to unfold – and thus genuine transformation can take effect. Norman Duncan (2005, 25), a black professor at Wits University, has put the current attitude at his own institution well: ‘the widespread discomfort with, and denial of, racism evident in broader South African society, on the surface, appears to be virtually ceaselessly replicated in academia’.

What stands out as a telling political feature in all three cases is that they show that even in a post-apartheid society black South Africans (and anyone representing
their plight) cannot win when they take on, head-to-head, the entire racialised structure of power and authority extant in today’s former ‘open universities’. As shown, speaking-out extracted a high price from all three protagonists. And however virtuous the exposure of white privilege, mediocrity, and bias might be – it simply does not seem to have enough moral suasion on those most directly implicated to want to make them seek atonement; rather, energy is directed to the normalization of injustice.

If, as Robert Shell recognizes, academic freedom ‘implies being able to speak the truth without fear or favour’ (quoted in Bentley Habib, and Morrow 2006, 21), then it has to be said that South African universities are universities of a special type, for here academic freedom currently seems to imply being able to speak the truth without fear or favour – just as long as you do not call the university itself into question; and avoid any questioning of their inability to acknowledge and accept the equal humanity of black South Africans. Transforming this state of affairs would necessitate white people being ‘able to admit the racial construction of their own identities and ask how that construction affects their commitments’, something that is easier said than done, for ‘the ramifications of such an enquiry is not only psychological; it is intimately tied to matters of relative material comfort and power’ (Balfour 2001, 56).

At the moment there is no genuine transformation agenda at the former ‘open universities’ – that much the case studies made evident; but there are many other signs that reveal the continuing systemic disempowerment of black South Africans at these institutions. Undertaking a survey on black academics for the Centre for Higher Education Transformation, Cheryl Potgieter (2002, 10) cites one respondent who declared that ‘there is nothing like a transformation agenda ... a liberal [agenda] is not to transform but to create the idea of transformation’. A point that can, in addition to all that has been said above, be seen in relation to the seriously skewed — unaddressed – nature of post-apartheid black student representation, and how black scholars and students from the rest of Africa are favoured over black South Africans.

One of the changes that have occurred at the ‘open universities’ in the post-apartheid era is the dramatic increase in the number of black students – but even here things are not quite what they seem. For African student enrolment has been very much concentrated in certain programmes of study: as André du Toit (2001, 96) has observed ‘given the higher entrance requirements for other faculties the arts, humanities and social sciences become the residual depository for academically weaker African students ... there is a massive clustering of African females in the social sciences and humanities as well as in education’ – a large number of whom do not even end up graduating. Indeed, a recent article in the Mail and Guardian that dealt with the question of throughput rates found that ‘fewer than 12% of blacks aged 20 to 24 were at universities and only 5% graduated’ (Gower 2008). Moreover, a survey by David Cooper (2000) found that African female student representation in 1998 stood at 30% of the student body, yet that for African male student representation was significantly lower at 22%.
Given all the failings that can be put at the door of the former ‘open universities’, it is little wonder that, when in office, former President Thabo Mbeki received reports that universities like Wits were ‘unwelcoming to black staff and students’ (Kgosana 2005) – or that a former Minister of Education, Naledi Pandor (2004), saw the universities as being ‘out of touch with the society ... lack[ing] the commitment to producing the public good’. It is also not surprising that Potgieter’s survey (2002, 12) found that for black academics to succeed at historically white institutions they had to be ‘super human beings’. It is surely time for change: for South Africa’s former ‘open universities’ to deracializes and take their rightful place as genuine ‘South African’ universities that accepts all citizens as equal.

CONCLUSION

The classic liberal formulation of academic freedom by T. B. Davie did, of course, in its own way represent a moral stand against apartheid; but it was too restrictive in taking its own epistemological integrity for granted. In the context of a country beset by centuries of a systemic racism that was foundational to how that society was ordered and governed, any conception of ‘freedom’ cannot be (colour) blind to the resultant injustices. The presentation of the above three case studies have incontrovertibly made it clear just why ‘the mere re-assertion of the liberal discourse on academic freedom no longer provides a coherent or adequate assistance in getting to grips with the current challenges to academic freedom’ (Du Toit 2000, 79). Basically, the liberal formulation and indeed, as earlier argued, more recent formulations by scholars such as André du Toit, Roger Southall, Julian Cobbing, Kristina Bentley, Adam Habib, and Sean Morrow fail to come to terms with how the underlying social structures that generate racial injustice relate to the former ‘open universities’.

Going beyond the liberal formula requires coming to terms with white racism – expressed as much at the systemic level as the individual level. In terms of political theory, there is only one approach that takes this starting-point for analyzing South African society: that of Black Consciousness. For, at the heart of Steve Biko’s book I Write What I Like, first published in 1978, is recognition of the centrality of white racism. In this work Biko provided a powerful and instructive critique of white racism, which in relation to his critique of white liberals echoes many of the issues that unfolded in the Makgoba, Mamdani, and Shell affairs.

Biko (1996) urges his readers, black or white, to consciously and openly confront such insidious racial politics – to work for a new fusion of what it means politically, socially, and culturally to be ‘South African’. The ends of Biko’s critique of white racism are that we all arrive at a ‘true humanity’. Applying such insights to the question of academic freedom it is clear that the former ‘open universities’ must strive to escape from their history, correct and rise above the continuing presence of white racism, and develop a new post-apartheid common ‘South African’ identity: only then can they present a more ‘human face’.
NOTE

The ‘open universities’ is the term that was used to refer to those universities in South Africa who sought to maintain an open-door policy towards admitting students without regard to ‘race’ and academic segregation: they included UCT, Wits, Rhodes, and Natal. Although primary focus is given to the first three of these universities, it should be noted that Natal – now the University of KwaZulu-Natal – has also had a number of minor affairs of its own, such as the case of Ashwin Desai (Duncan 2006).

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Academic freedom and racial injustice: South Africa’s former ‘open universities’


