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## Structure and agency: Clash or complement towards quality public education within the South African legislative framework?

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In the current South African society, characterised by typical neo-liberal market-driven priorities also forced upon the education sector, the search for quality education needs careful consideration. This search has taken a prominent focus in robust academic, public, political, and school governance debates in South Africa for the past 2 decades. Officials of the Department of Basic Education (DBE) admit that, despite noteworthy efforts, it fails in providing quality education for all learners. Key stakeholders in education neglect their professional duties. This paper investigates factors related to (dominating) structure and (a lack of) agency that might be deterrents to attainment of quality education. Bureaucratic and labour structures often deny professional educators their agency. The central question is what the nature of the impact, if any, of the conflicting powers of structure and agency is on quality public education. It was found that the conflict between structure and agency often have a negative effect on the delivery of quality education but that the advantages of both structure and agency, once reconciled, might lead to the improvement of the delivery of quality education in South Africa.

**Keywords:** agency; legislation; quality education; structure; unionism

### Introduction

In July 2017, the executive director of the Centre for Development and Enterprise (CDE), Anne Bernstein, said that South African education was in crisis (Draper, Hofmeyr & Johnston, 2017). Referring to the public education system, she declared: “[w]e can’t do the same thing and expect better results. Until we make significant progress for millions of poor people, it’s safe to say that South Africa today is not a good place for young people” (Dhlamini, 2017:para. 8). With the unsatisfying and even disturbingly poor condition of public education in mind, and considering different means of enhancing the quality thereof, the nature of human conduct, and particularly that of educators, should be considered.

One expedient theoretical construct to understand human action is the primarily sociological notion of structure and agency, which is the point of departure for the argument that follows. Referring to human action, Tan (2011:36) asks the question: Should the social sciences view action as shaped by individual agency or by the constraining forces of social structure? In the fields of sociology, policy studies, and organisational leadership, in particular, a wide array of scholarly works offer discussions related to the ongoing “structure versus agency” debate. According to Hewson (2010:13), a person’s agency is his or her independent capability to think critically and act of his or her own will, while structure refers to social forces or influences that impact positively or negatively on individuals’ agency. Tan (2011:26) adopts one of an array of opposing opinions among leading sociologists, which portrays structure as exerting a constraining effect on individuals’ agency.

The point of departure of this paper is the view that the strife between structure, as embodied in labour and bureaucratic entities, and agency, the capacity of a person or group to act autonomously and to experience freedom of choice, might be a major normative problem underlying poor quality education. Indications are that such conflict also leads to continuous deprofessionalisation of education, the disruption of education delivery by teacher unions’ strikes, and a general lack of adherence to the rule of law. It is often claimed in literature that structure is the rival of agency, with structure often being the victor. The goal and purpose of this paper is to interrogate the nature of the influence, if any, of the conflicting powers of structure and agency on quality education in South African public education. We also explore the way in which these powers, through reconciliation, may complement each other in the quest for quality education. Such an approach was originally presented in 1984 in the theoretical framework by Anthony Giddens (Whittington, 2010:109), according to which there is a dialectical relationship between structure and agency, referred to as the structuration theory. Whittington (2010:109) points out that Giddens’ “notion of social structure allows for both constraint and enablement.”

It should be noted that this paper is no attempt to offer an in-depth discussion of all the relevant aspects of the extensive sociological field of structure and agency. The reasons for narrowing down the scope of the theoretical discussion of structure and agency to the basics are obvious. Firstly, the limitation in length of this paper, and more importantly, the fact that no consensus has been reached in this debate that originated in a 1938 publication by Durkheim (Tan, 2011:39) among leading sociologists. Amid such a variety of viewpoints on whether structure or agency is dominant, one basic viewpoint was selected for the purpose of this paper. The paper develops an argument that, in education, enhanced positive agency of professional educators can lead to higher quality education provision in the public school system.

According to De Groof (2006:7), Dutta (2011:13), Makhanya (2011:4) and Molo (2014:268), education is a highly contested arena: politicians, society, and unionists all demand to have a say. Dutta (2011:9) states that schools have to cope with bureaucratic structures that should, ideally, allow individual agency to emerge. According to Dutta (2011:9), the strife between agency and structure has an adverse effect on quality education.

The central research question is: what is the nature of the impact, if any, of the conflicting powers of structure and agency on quality education in South African public education? To answer this question, the paper offers an analysis of relevant literature related to the nature of the impact of structure and agency in social sciences, particularly in education. The concepts of structure and agency are discussed separately, followed by a brief exposition of the most salient aspects of the confrontation between them. In a quest for quality education in South Africa, the possibility of a reconciliation between structure and agency is discussed, after which we elaborate on the impact of unions as structures in public education. By means of a Cartesian coordinate system, five possible permutations are demonstrated, including a discussion of the implications of such scenarios for the provision of quality education.

In any scholarly work about educators the challenge lies in the fact that one cannot generalise when it comes to professionalism. In South Africa some educators are highly professional, while an unacceptably high percentage are workerist or lack professional conduct (De Clercq, 2013:20). The nature and effect of their agency will differ accordingly. We argue that enhancing the agency of the professional educator will promote quality education. This forms the central argument of this paper. Similarly, to discuss unions one should not generalise – some unions focus on members as professionals, and some encourage workerist conduct among its members. It may be argued that teacher unions should be regarded as collective agency, but for the purpose of this paper unions are regarded as structure. The effect of the profession-focused unions on quality education will be significantly different to that of the second type, namely those unions that promote a workerist approach among its members.

Education is a multi-disciplinary social science in which educators, learners, parents, education experts, community, state, political parties, and labour unions have a stake (Metcalfe, 2009:9; Molo, 2014:264). This involvement of other stakeholders in education often leads to power conflicts between structure and agency, or between different structures or different agencies. Acknowledging the fact that both structure and agency, and the conflict between them, may impact on a wide variety of aspects in the

sphere of education, this paper, against the background of education law, addresses the delivery of quality education in public schools.

#### Literature Review

Quality education for all still only remains a dream in the South African public education system. More than two decades into democracy, the South African public education system is still troubled with enormous challenges, reflected in an alarmingly high drop-out rate and very low reading and mathematical ability of a high percentage of learners (Ensor, 2019). The Minister of Basic Education, Angie Motsheka, expressed her appreciation (Dhlamini, 2017) for a report published after commissioned research by the CDE (2017), which draws attention to deficiencies and gaps in the teaching profession. The CDE report recommends the strengthening of professional development and effectiveness and further indicates that a lack of accountability is one prominent constraint on improving the quality of education.

The education transformation in the mid-nineties gave rise to several statutes and policies to regulate education and if implemented properly, these could improve quality education in public schools (Molo, 2014:266). According to Molo (2014:266), the international community and non-governmental organisations such as the Human Sciences Research Council (HSRC) view general academic productivity of South African educators, which is significant in improving quality education, as among the lowest in the world.

The lack of professionalism among a significant percentage of educators adversely affects the quality of education delivered in South African public schools (Beckmann & Füssel, 2013). In their report on the Programme to Support Pro-Poor Policy Development (PSPPD), Moses, Van der Berg and Rich (2017:6) conclude as follows:

This inertia is particularly apparent in South Africa's education system that continues to provide education quality of a standard similar to that found in developed countries to a small elite, while the majority of learners (mostly black) attend schools that for the most part are as dysfunctional as they were under apartheid.

While the human and physical resource deprivation under apartheid in the former black part of the school system undoubtedly contributed to the dysfunctionality of many of these schools, weak functioning in schools is further exacerbated by intangible elements such as weak management, low levels of cognitive demand, and poor teacher and learner discipline.

It is apparent that governmental initiatives are not bearing the fruits envisaged, considering the level of the monetary spending on such efforts and despite a well-developed legal framework. The South African

Council for Educators Act (31 of 2000) (Republic of South Africa, 2000) (hereafter referred to as the SACE Act) and the Employment of Educators Act (76 of 1998) (Republic of South Africa, 1998) have been promulgated specifically to regulate the professional conduct of educators. Jansen (2011:58) doubts whether the current legislation is applied as effectively as intended because many schools have remained toxic and chaotic.

Some legislation related to education is meant to enhance professionalism among educators and proper governance and accountability, thereby enhancing quality teaching and learning in schools. However, if educators' conduct is to be judged in light of the provisions of the SACE Code of Professional Ethics for Educators, it is nowhere near the ideal (Musgrave, 2007:3). Jansen (2007:12) reports an account of unprofessional conduct during one of his visits to schools where he found classrooms packed with learners but no educators in sight. He noted that the staffroom was full of educators, and learners' books, marked and unmarked, littered the floor. Jansen (2007:12) is convinced that the greatest obstacle to transforming South Africa's education system is the lack of accountability by educators and managers. This seems to suggest that educators and managers neglect their professional obligations to learners.

While it is argued that greater agency for educators should be allowed and that there should be a decrease in structural oppression, the problems in education also allude to excessive negative agency and suggest the existence of laxity in structural powers within schools. Structural powers within schools consist of the principal representing the internal bureaucratic structure, the School Governing Body (SGB), of which the principal is a permanent member, and labour structures, unions in particular, and the Education Labour Relations Council (ELRC). External powers are mainly the provincial and national departments of education.

The literature review above, which mainly reports on the problems associated with the public school system, was extended with the aim of determining the strengths, flaws, and discrepancies related to structure and agency in general. Of importance is also the nature of the impact of, and indicators, developments, and current debates on structure and agency – specifically in the public education sphere. Quality education in the post-1994 South African public education system has also been investigated for the purpose of responding to the research question of this paper. The purpose of the literature review was to provide an overview of the theoretical background to the topic (Leedy & Ormrod, 2005:70) of structure and agency.

### Conceptual Framework

Before embarking on a more extensive exposition of the concepts of structure and agency, we offer a clarification of some concepts, which are prominent throughout this paper:

- **Quality education:** Gu (2001:135) and Jansen (2013) perceive quality education as the teaching and learning process that brings the curriculum to life, allows for critical thinking, and freedom of expression within the parameters of the Constitution of the Republic of South Africa, 1996, (here after referred to as the Constitution) and subsequently enhances the quality of learning outcomes. As is indicated next, neoliberalism has a specific view on quality education.
- **Neoliberalism:** While not a simple phenomenon to define (Van der Walt, 2017:12), certain characteristics are clear. For the past two decades the main threat of neoliberalism for education worldwide has been its drive towards commercialisation, whereby educational institutions are seen as mere businesses that need to adhere to the demands of a consumerist ethos. Students become clients and schools/teachers become service providers (Van der Walt, 2017:11). Under neoliberalism, quality in education is, as can be expected, measured in terms of the economic value gained by individuals for the "market." High skill levels are primarily for the purpose of contributing to the economic growth of a country, according to human capital theory. Welch (1998:157) warns that "both individual worth and the worth of education can be reduced to economic terms." In keeping with Welch's cautioning, in this paper quality in education is not reduced to such a destitute, reduced type of education as idealised by neoliberalism, but also includes the development of physical, social, psychological, and spiritual components of every learner.
- **Unionism:** Carrel, Elbert, Hatfield, Grobler, Marx and Van der Schyff (2000:454) define trade unionism as the process of forming workers' organisations with the intention of furthering economic and social interests of workers. Rossouw (2010:2) adds that unionism is about labour-related issues such as workers' grievances, labour disputes, service conditions, working hours, remuneration, and collective bargaining. In South Africa, labour unions are often synonymously used or associated with politics because of their inclination towards direct political affiliations (Liwane, 2017:40–42). Teacher unions differ significantly in their respective approaches to education and their perceptions on teacher professionalism. While the Congress of South African Trade Unions (COSATU)-affiliated South African Democratic Teachers' Union (SADTU) often mobilises its members towards a workerist approach, the National Professional Teachers' Organisation of South Africa (NAPTOSA)-affiliated Suid-Afrikaanse Onderwysersunie (SAOU) (the South African Teachers' Union) approach education in a more professional way.

In order to properly answer the research question regarding the nature of the impact, if any, of the conflicting powers of structure and agency on quality

education, we discuss the key concepts of structure and agency next. We then deliberate on the interrelationship and tension between them. Similar to structure, a wide variety of types of agency do exist, such as individual as opposed to collective (social) agency (Billett, 2008), professional versus workerist agency, or the agency of certain structures. We also recognise that different agencies or structures may come into conflict with one another. While acknowledging an array of possible permutations within the theory of structure and agency, this paper is purposefully limited to the basic notion, as portrayed in numerous structure-agency debates: the power of structure exercised to the detriment of individual agency. The main focus is on the professional agency of the educator, and where applicable, also referred to as the agency of the professional educator.

### *Structure*

While neoliberal forces, as discussed, pose structural challenges for holistic quality education in their drive towards commercialisation and the resulting reduction of education worldwide, for the purpose of this paper, structure refers to organisations and other bureaucratic entities directly affecting education. A better understanding of the nature of the impact that structure has on individuals within such a structure commences with comprehension of the theory of structure.

In his lecture on the Two Sociologies Theory, Craig (n.d.:para. 7) refers to structure as “the panoply of social institutions, customs, laws, traditions, and ideologies which establish frames of reference for social agency or action.” Hewson (2010:13) defines structure as the specific sets of rules and resources that either constrain or enable people. The implication here is that structure deals with the distribution of structural conditions of acting, with differential allocations of productive resources (including cognitive resources) to persons and groups, and in doing so, structure allows for the possibilities of different and antagonistic interests or conflicts within societies.

Structure defines and limits the possibilities that are available to people when they want to exercise their agency to engage in practices that influence their total well-being. All public institutions are juristic persons that are represented by natural persons. In the case of schools as juristic persons, they are represented by the SGBs in decision-making and thus have agency within such a structure.

As provided for in the South African Schools Act (SASA) (Republic of South Africa, 1996a), schools as institutions are structures governed by SGBs as structures too. When an SGB acts on behalf of the juristic person (the school), they utilise both proxy agency and collective agency, which give them structural powers. Sometimes, the limitations

to which the bureaucratic structure subjects schools are contrary to the provisions of legislation.

*Eikendal Primary School and another v WCED and others, (394/09) [2009] ZAWCHC*, for instance, indicates the abuse of structural powers due to the influence of the individual agency of the Head of Department (HOD). In this case, the HOD rejected the recommendation of the SGB regarding the appointment of an educator in the school and appointed a different person. The HOD took this step without consulting the SGB as a statutory, school-based structure to explain the reasons for rejecting their collective recommendation. According to section 16 of the SASA, the principal represents the HOD within the SGB; as such, the decisions of the SGB have the input of the HOD through the principal’s proxy agency. In this case, the HOD undermined his own legally appointed representative. It suffices to submit that, in this case, the action of the HOD is a token of bureaucratic arrogance. In other cases, SGBs can similarly abuse their powers in a variety of ways, among others, related to the appointment of less suitable educators.

Perhaps Dutta’s (2011:9) statement that structure refers to the recurrent patterned arrangements that influence or limit the choices and opportunities available to people best explains the source of clashes between structure and agency. The implication here is that, despite the fact that the Constitution grants rights to all citizens and that statutes such as the SASA (Republic of South Africa, 1996a) concretise certain provisions of the Constitution, some structures may illegally limit the rights of people and/or contravene the law using their structural powers emanating from either professional, individual, proxy, or collective agency. The various types of agency are discussed next.

### *Agency*

Referring to the work by Giddens (1979), Sewell (1992), and Thornton, Ocasio and Lounsbury (2008), Coburn (2016:466) points out that “the structure-agency question has been central to the discipline of sociology for decades.” Agency can be understood as “an actor’s ability to have some effect on the social world – altering the rules, relational ties, or distribution of resources” (Scott, 2008:77).

This paper takes a positive stance towards the improved professional agency of educators. We acknowledge, however, that the agency of educators might not always be conducive to quality education, especially in cases of unprofessional educators. Such educators’ recalcitrance might affect progress in the implementation of good practices and legislation. While it is argued here that the agency of professional educators should be enhanced, it has to be acknowledged that agency might also be abused by unprofessional educators in the same way as structural powers are abused. The scope of the paper does

not allow discussions of the wide variety of permutations that can be identified.

Accordingly, it is important to state from the outset that agency is a very flexible variable in human nature. In social sciences, agency is understood as part of a person's self-perception as being autonomous (Gunn, 2009:28). A person's agency is his or her independent capability to think critically and act of his or her own will (Hewson, 2010:13). Agency also refers to the ability of individuals to act independently and to make their own choices (Gunn, 2009:28). In essence, the meaning of the external world is acquired through agency, which entirely depends on the way in which the human mind works. According to Gunn (2009:28), this view implies that "the paradigm self-conscious human being is destined to become an agent and thus harbors an incipient agency at birth."

Gunn (2009:28) declares that, in modern philosophy, agency is associated with self-transparency, self-knowledge, and rational decision-making. Based on the associations mentioned above, it is argued that, in an educational setting, freeing the agency of educators and triggering agency of learners can be expressed as a goal of teaching and learning environments.

The right to a basic education granted in section 29 of the Constitution (Republic of South Africa, 1996b) enables learners to realise their agency. Although the Constitution (Republic of South Africa, 1996b) does not specifically mention it in the education clause (s. 29), quality must define the right to a basic education because education is an empowerment right (Horsten & Le Grange, 2012:509; Woolman & Fleisch, 2009:117). Contrary to what neoliberal forces prescribe, quality delivery of education trains learners to improve communication skills as well as social, moral, and political actions in the public sphere and private life. Press, Woodrow, Logan and Mitchell (2018:328) warn against the opposite approach to education: "childcare as a commodity – a commodity marketed and sold to its consumers (read parents) as a private benefit." This neoliberal approach blatantly refutes the nature of quality education delivery that should prevail and is advocated in this paper.

Hewson (2010:12) further clarifies agency as referring to the experiences of acting, doing things, making things happen, exerting power, or controlling matters. Dutta (2011:9) concurs when he states that agency is an inborn urge in every person to act independently and to make choices of their own free will. Due to human intelligence, human beings can abuse their agency in the same way that structure abuses power (Gunn, 2009:28). For instance, the agency of an unprofessional educator often rebels against the enhancement of quality education. As one example, McGregor (2010:3) confirms how absenteeism among educators runs at chronic levels in

some South African public schools, often because of abuse of sick leave processes.

Ideally, the agency of an educator should revive the vocation or calling theme of the SACE Act (Republic of South Africa, 2000) pertaining to teaching, which is unique in the sense that it advocates the notion that teaching involves personal sacrifice. In line with Durkheim and Simpson (1952:38), Elder-Vass (2011:1), supported by Aston (2013:4), submits that agency is revealed through one's consciousness; educators need to be sensitive to their consciousness because the futures of many children lie in their hands. It is clear that educators sometimes abuse their agency, leading to unprofessional conduct that deprives learners of quality education.

As stated, some individuals or groups do not have original, autonomous power, but certain functions are delegated to them by means of proxy. In such cases, these individuals or groups have proxy agency and, where appropriate, they have to report back to the body that delegated the power. Lastly, it should be noted that civil society groups and associations, while also forming structures, have collective agency, which, as a power, should be distinguished from structural powers.

#### *Structure versus agency*

Averments and arguments that have surfaced from the scholarly body of knowledge in education cite confronting political issues behind poor education quality, which is in many cases closely linked to some teacher unions. Organisational structures such as those teacher unions and the provincial departments of education may stifle educator agency as they wield powers the latter lacks (Hewson, 2010:17). Educators are vital to curriculum delivery and policy implementation but often do not enjoy enough agency.

Dutta (2011:9) offers an alternative confrontation though – that of structure and agency. Dutta (2011:9) and Hewson (2010:10) contend that institutions within which educators practise are subjected to an authoritarian systems approach (bureaucratic structure) that governs them in, ideally, a democratic environment that should allow for individual agency. Due to the legacy of authoritarian practices by structure in education in general, the democratic practices are not acknowledged and encouraged (Jansen, 2013:12), and this leads to clashes between structure and agency. Despite constitutional rights, educators still cannot adequately exercise autonomy or let their voices be heard in their trade because bureaucratic and labour structures dominate in South African public education, which reduce agency and abuse of structural powers. In this paper we argue that the underlying normative issues of structure versus agency form part of the problem in public education.

## Discussion

### Reconciling Structure and Agency Towards Quality Education

From the previous discussions it should be evident that, closely related to common understanding of agency and structure in social sciences, is the concept of power. Social, cultural, economic, and educational power struggles influence one's perception of agency and autonomy in interpersonal dynamics (Gunn, 2009:30). The starting point is to engage with the nuances at play regarding structure and agency, and to acknowledge that sociology is founded on the belief that human behaviour is causally influenced and, in particular, that social factors influence human behaviour (Elder-Vass, 2011:1).

Based on Durkheim and Simpson's (1952:38) claim, a question that should elicit answers is whether the African culture of communal co-existence and collectivism through the concept of *ubuntu* are the reasons for educators themselves, at least those who are part of such culture, giving up their agency and succumbing to labour structure and bureaucratic structure. If the answer is positive, such educators should have long realised that the culture in question should have ceased to influence them the day they committed to professionalism of which, *inter alia*, specialised knowledge, professional autonomy, and professional accountability are its core tenets (Oosthuizen, 2012:217).

Consistent with Giddens' structuration theory (Tan, 2011:38; Whittington, 2010:109) and the dialectic interplay between structure and agency (Beauchamp & Thomas, 2009:176) we further investigate whether structure and agency may be reconciled to complement each other towards the attainment of quality education. The existing clash emanates from the fact that educators, as agents within the bureaucratic, labour, and social structures, are left with no room to be who they really are (Beauchamp & Thomas, 2009:176). For instance, Beauchamp and Thomas contend that an analysis of educators' agency as diverse change that should be embedded in the education system stands largely unexamined in education laws and policies.

Educators are transformed through their actions and thus yield individual agency as they are redesigned and reassembled to do things differently within the structured public education system. Section 22 of the Constitution grants everyone the right to choose their trade, occupation, or profession freely and further stipulates that the practice of a trade, occupation, or profession may be regulated by law. Educators have chosen teaching as a profession and their employment is regulated by the SACE Act (Republic of South Africa, 2000) and the Employment of Educators Act (Republic of South Africa, 1998). However, it is argued that they do not practise freely and in accordance with the law, *inter alia* because the law is disregarded by the structures with whom they associate. In the light of the above sub-

missions, it could be that Beauchamp and Thomas (2009:178) confirm educators' change of identities and, in some cases, complete loss of identities. Beauchamp and Thomas (2009:179) and Dutta (2011:343) argue that people sometimes get accustomed to being suppressed and do not bother to think how situations could virtuously turn around if they could take control and not submit all their powers to structure. Jansen (2008:14) believes that some educators dread structure and that this has led them to believe that indeed labour organisations "empower" them.

The word "empower" is often used in the SADTU mass meetings. However, Colditz (2014) and Dutta (2011:342) argue that humans have an innate power and do not need to be empowered; rather, they need to be capacitated. Through capacitation, professional educators need to realise their innate power emanating from agency and should defend quality education. Realising this would perhaps assist them to live their personal and professional values. It would also drive their professional authority and autonomy, eventually leading to better learner performance.

To resolve current ills within South African public education, structures need to consult educators in decision-making on curriculum-related matters. Currently, educators must merely implement what the bureaucratic structure has discussed with labour structures. A qualitative research study done by Liwane (2017:230) confirms that, in some unions, unionists at higher echelons are no longer concerned with issues pertaining to the welfare of their members as such; they collude with the bureaucratic structure in various ways that have a detrimental effect on quality education.

One example of such undue influence by unions was the selling-of-posts problem, where members from the union, SADTU, and the union as such, were seriously implicated. In 2016 the Ministerial Task Team report, also referred to as the Volmink report (Volmink, Gardiner, Msimang, Nel, Moleta, Scholtz & Prins, 2016), investigated 75 cases; 30 provided grounds for suspicious wrongdoing; 13 of these cases were already strong enough to be passed on to the police. Arrests were imminent. At the release of the report, Education Minister, Angie Motshekga, said that the "report indicates that the majority of the provinces are union-run, to an extent that unions appear to control government for selfish reasons, which don't benefit learners or the country. The government intended to put stringent measures into place to prevent the misuse of processes where unions dominated decisions on teacher and principal appointments" (Tandwa, 2015:para. 8–9).

The Volmink report further confirmed:

- That there is corrupt and undue influence in the appointment of teachers and principals;
- There are weaknesses in the appointment system of the basic education department;

- The authority of the state and powers of certain stakeholders need to be reviewed with regard to appointments.

The labour structures only turn against the bureaucratic structure when a decision does not benefit them.

The bureaucratic structure (DBE) would greatly benefit from educators who are academically strong, as they would operate from a free space in which both the educators and learners would release their agential powers to create a healthy teaching and learning environment. The DBE must only regulate, without unnecessary constraints, the agency of educators in education-specific legislation and policies.

The two dominant structures in education should consider liberating educators' and learners' right to freedom of expression as granted in section 16 of the Constitution (Republic of South Africa, 1996b). The focus should be on the provision of quality education. Educator professional forums would allow educators to share ideas towards quality education and structure would ensure implementation. It is possible for structure and agency to reconcile and complement each other towards quality education.

#### *The impact of unions as structures in public education*

Teacher unions are social structures that have become a familiar phenomenon in education. In the South African context it is pointless to discuss quality education without discussing unionism. While a minority of unions does make a positive contribution, we argue that unionism predominantly offers a platform for the emergence of negative collective agency. On electing Mugwena Maluleke from the ranks of SADTU as vice-president during its 8th World Congress held in Ottawa, Canada, in 2015, Education International (EI) stated that "COSATU is South Africa's largest trade union federation with more than 21 union affiliates, including SADTU, with a membership spanning over 1,8 million. SADTU is the second largest union in COSATU with more than 235,000 members and the single largest public sector union" (EI, n.d.:para. 7). Despite such international recognition of SADTU's general secretary, Barbeau (2009:15) contends that teacher unions, SADTU in particular, undermine public education by subjecting it to their political agenda and power struggles.

The former Minister of National Planning, Trevor Manuel (2011:2), asserts that the South African government has built schools, but it has not been able to make children go to school and study hard. It will take the commitment of parents and educators to ensure that this happens. It is notable that Manuel (2011:2) raises the issue of access to education while he also raises issues about the core business of every school not being addressed fully.

Makhanya (2011:4) and Manuel (2011:2) concur in proposing that only those educators who meet the criteria regarding qualifications, skills, and professionalism should be appointed in schools and that there should be no undue political or teacher union interference in public schools. It becomes evident from Manuel's submissions that the country has a problem with low skills and insufficient professionalism as well as an absence of clarity between the political and administrative or professional functions of civil servants. Makhanya (2011:4) further contends that there is always a danger in societies that when the public service is insufficiently insulated from political control, standards can be undermined as public servants such as educators are recruited based on political connections rather than skills and expertise.

Zengele (2009:2) avers that expectations for promotions, brought about by the increasing instances of the promotion of union officials since 1994, have increased. Volmink et al. (2016) found that, as was confirmed by Liwane (2017:228), teacher union activists get promoted to higher positions without meeting the requirements. This, as Bascia (1994:44) and Zengele (2009:3) point out, results in unionists occupying high positions for which they have little or no experience, qualifications, and skills to manage, compromising delivery of quality education.

Deacon (2014:13) further argues that the unique relationship between COSATU and the African National Congress (ANC) within government, along with the structural power this affords unions in the workplace, renders any procedures to address poor work performance, and particularly dismissals of educators on the grounds of poor work performance, unlikely. For this reason, it is highly doubtful that any provincial department of education (bureaucratic structure) would take stringent measures against office bearers of SADTU (labour structure) (Deacon, 2014:13).

The power game is played by the two structural powers dictating education – bureaucratic structure and labour structure. The voices of parents are also undermined as key stakeholders in education by these two structures. Because many parents do not have a clear understanding of the concept of power, they need to be capacitated in order to enable them to defend their children's rights enshrined in the Constitution (Republic of South Africa, 1996b), especially the right to basic education (s. 29).

Leaders in education on provincial and national level need to show courage to take underperforming departmental bureaucrats to task, break SADTU's stronghold on public schools (Jansen, 2008:14) and must be able to apply legal remedies to educators who perform poorly (Deacon, 2014:14). According to Carrel et al. (2000:454), the role of teachers' unions is to safeguard fairness in labour relationships, but not to overstep the mark by

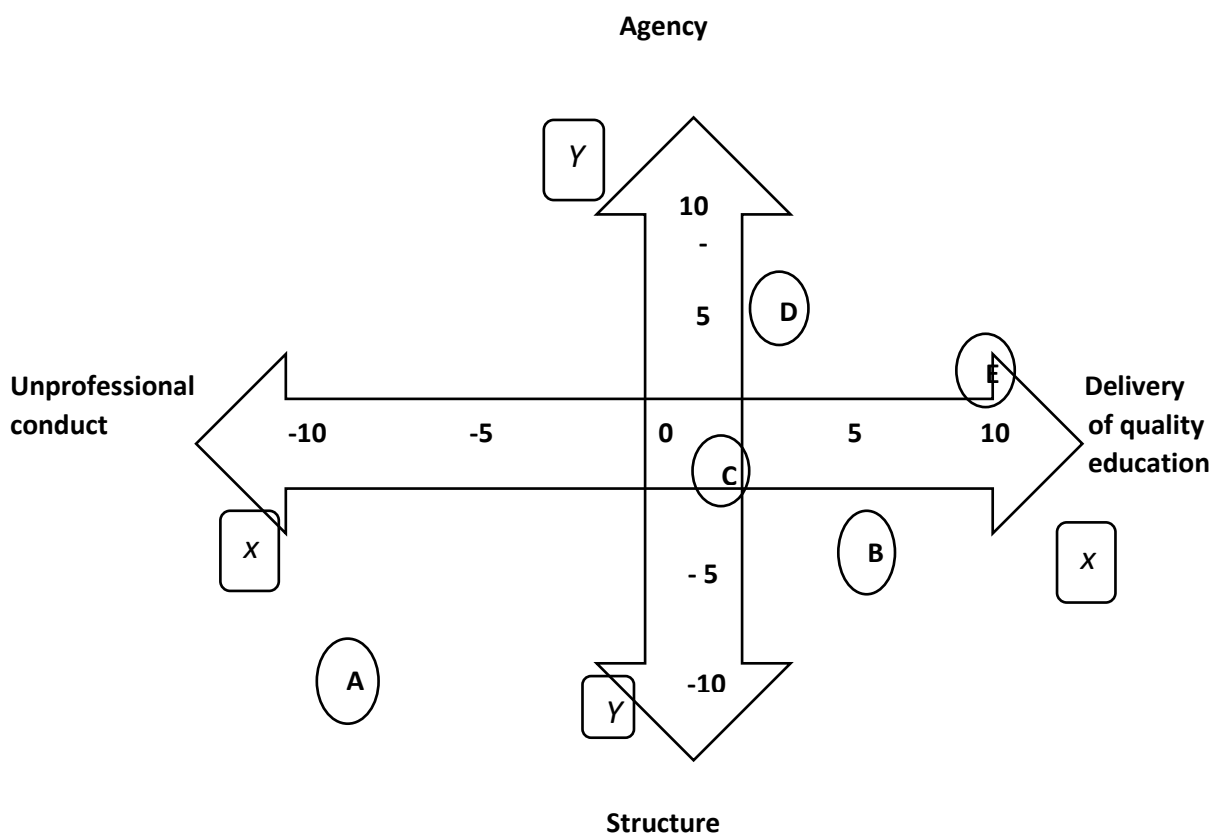
protecting underperforming union members at the expense of quality education for learners.

#### *Conflicting powers and some permutations*

From the literature review, two tensions emerged: that of the conflicting powers of structure and agency; and the tension between the pursuance of quality education on the one hand, and unprofessional conduct of educators on the other. As illustrated in Figure 1, it is a quadrangular matter, with all four factors influencing one another.

In the discussion that follows, these tensions are discussed in a quest to answer the central research question related to the nature of the impact, if any, of the conflicting powers of structure and agency on quality education in South African public education. For the purpose of the subsequent argu-

ment, agency is defined only as a positive opportunity for professional educators to express themselves in an autonomous way and without unnecessary restrictions, while acknowledging that, as discussed, educators' agency is not always used towards quality education. Similarly, structure refers to the often-negative impact on quality education, as discussed, of bureaucratic (DBE) and labour (union) structures. It is acknowledged that structures such as well-functioning SGBs and unions focussing on professional conduct also exist, making a valuable contribution to quality education in the public-school context. Examples of well-functioning school districts and provincial education structures also exist. These positive powers are unfortunately not the norm in South Africa and are not factored into this discussion.



**Figure 1** Conflicting powers in the quest for quality education

We designed a simple Cartesian coordinate system (see Figure 1) to illustrate graphically a certain position or school scenario where the four extremes – agency, structure, delivery of quality education, and unprofessional conduct of educators – stand in a certain relationship with each other. In the figure, the x-axis (horizontal) represents the continuum where either delivery of quality education, on the one extreme, and unprofessional conduct of educators, on the other, becomes more prevalent at the expense of the other. Similarly, the y-axis (vertical)

represents the continuum where structure and agency form the extremes. Again, in this figure and the discussion that follows, only the negative (restrictive) aspects of structure and the positive contributions of educators' professional agency are considered in the analysis. In the coordinates, the x-value is mentioned first.

According to the graph in Figure 1, point A (-10, -10) represents a school scenario where structure and unprofessional conduct are at their highest levels. This depicts a school that is per definition



dysfunctional, with unionism (structure) dominating to such an extent that quality education is eradicated and unprofessional conduct is protected. Here, professional educators, if any, who form part of the staff, do not experience adequate agency towards the delivery of quality education. The impact of such a scenario where the agency of professional educators is close to non-existent, and the negative forces are dominant, is that the delivery of quality education is virtually non-existent. The South African public school system is largely inefficient because this scenario is typical of the majority of public schools.

A scenario where structure and the delivery of quality education are relatively strong, is represented by point B (5, -5) with unprofessional conduct and individual agency prevailing, but not in a dominant position. This depicts a school that functions on a relatively high level of service delivery, but unionism and bureaucratic structures still have a dominating influence. Unprofessional conduct is under control, but educator agency is suppressed. This combination of factors prevents the school from becoming a school of excellence.

Point C (0, 0) represents a public school where there is a balance between the negative influences of structure and the positive effect of the agency of professional educators. This depicts a school where unionism does not dominate, but educator agency also does not come to its right. The effect of such a scenario is that education of a mediocre quality is offered, and unprofessional conduct does have a visible influence on matters. The forces balance out each other, resulting in moderate quality education, while moderate instances of unprofessional conduct prevail. There is good potential that higher quality education and effective leadership that encourages professional conduct can make a significant difference in such a school.

Point D (2, 5) represents a scenario where, due to a reasonable balance, neither structure nor unprofessional conduct plays a dominant role. Education of an above average quality is offered, and educators experience some agency. This depicts a school where there are more positive aspects than negative; however, it still is not the ideal place for quality education to be delivered. Educational leaders in such a school should aim at enhancing the agency of the professional educators, simultaneously encouraging more professional conduct by all, which will result in higher quality education being offered.

Point E (10, 4) represents a position where a sound balance between structure and agency has been reached, with high quality education offered and little, if any, unprofessional conduct among educators prevails. This depicts a school where structures that tend to impact negatively on the school are effectively neutralised by strong agency among dedicated professional educators. Where structures do play a role, the ethos of this school is of such a nature

that unprofessional conduct is not tolerated and delivery of quality education is the result.

### Recommendations

In the exploration of the research question, we found that conflict between structure and agency does exist in South African public schools. In certain scenarios, this conflict retards progress towards quality education. However, using the current education-specific legislation to redirect the public education system, structure and agency can be reconciled towards the attainment of quality education. The public education system is a bureaucratically controlled service provider and both structure and agency play a vital role in the delivery of education in public schools.

Central to the resolution of the conflict between structure and agency, and the constraints placed on individual autonomy, is the assertion that being human involves interaction and intersubjective transactions between individuals and institutions or groups. Neither total release of individual agency nor absolute structural action is ideal for organising and protecting the interests of learners in public schools. Accordingly, the state should balance the protection of individual freedoms in the form of individual agency, with collective or institutional rights and interests of other members, such as learners. The boundaries of structure (bureaucracy or labour) must be determined by the rights of others and by the legitimate needs of others within the school community. It is only then that structure and agency can complement each other towards the attainment of quality education.

There is hope for the attainment of quality education in the South African public education arena, but educators must uphold their professional ethics and professional standards of practice. Ideally, the DBE and SACE need to tighten the reins at the point where educators enter into the system. Careful screening of students applying for study at faculties of education is recommended to only include students with the potential to become professional teachers. The curriculum should give prominence to professional development of student teachers. In the final year of the study, competency examinations (in addition to academic examinations) should be completed before the SACE Certificate is issued to any educator. A combination of adequate initial screening, professional development, and competency testing would certainly curb the absorption of inapt educators into the education system.

The DBE and SACE should also effectively control the power of unions in the system in order to prevent the wrongful protection of unprofessional educators who make themselves guilty of tardiness or other forms of misconduct. Synergy and purposeful utilisation of the advantages of both structure and agency, as promoted by the structuration theory by Giddens (Tan, 2011:38; Whittington, 2010:109)

might lead to increased professionalism and more effective application of legislation towards the improvement of quality education in South African public schools.

In sum, structure (unionism and bureaucracy) and agency (of professional educators) can merge and complement each other towards enhancing quality education and professionalism by putting the interests of the learners first. This demands a commitment by every individual and group to serve the public education system in a professional way.

### Authors' Contributions

Both authors conceptualised the central claim of the article and reviewed the final manuscript. Nontsha Liwane conducted the original theoretical and empirical research and wrote a draft article. JP Rossouw restructured parts of the article to improve the central focus, added literature, and wrote the final part on conflicting powers and some permutations.

### Notes

- i. This article is based on the doctoral thesis of Dr Nontsha Liwane.
- ii. Published under a Creative Commons Attribution Licence.

### References

- Aston B 2013. What is structure and agency? How does this framework help us in political analysis? *Political Journal*, 13(6):3–8.
- Barbeau N 2009. Advancement of party loyalists – ‘cadre system’. *Saturday Star*, 10 January.
- Bascia N 1994. *Unions in teachers' professional lives: Social, intellectual, and practical concerns*. New York, NY: Teachers College Press.
- Beauchamp C & Thomas L 2009. Understanding teacher identity: An overview of issues in the literature and implications for teacher education. *Cambridge Journal of Education*, 39(2):175–189. <https://doi.org/10.1080/03057640902902252>
- Beckmann J & Füssel HP 2013. The labour rights of educators in South Africa and Germany and quality education: An exploratory comparison. *De Jure*, 46(2):557–582. Available at <http://www.scielo.org.za/pdf/dejure/v46n2/11.pdf>. Accessed 30 November 2019.
- Billett S 2008. Learning throughout working life: A relational interdependence between personal and social agency. *British Journal of Educational Studies*, 56(1):39–58. <https://doi.org/10.1111/j.1467-8527.2007.00394.x>
- Carrel MR, Elbert NF, Hatfield RD, Grobler PA, Marx M & Van der Schyff S 2000. *Human resource management in South Africa* (2nd ed). Cape Town, South Africa: Pearson Education South Africa.
- Coburn CE 2016. What's policy got to do with it? How the structure-agency debate can illuminate policy implementation. *American Journal of Education*, 122(3):465–475. <https://doi.org/10.1086/685847>
- Colditz P 2014. *Sustaining and improving quality education*. Paper prepared for Human Capital Acknowledgement Awards, Orkney, South Africa, 27 March.
- Craig M n.d. Theoretical issues: Structure and agency [PowerPoint presentation]. Available at <http://slideplayer.com/slide/781004/>. Accessed 3 July 2017.
- Deacon HJ 2014. The balancing act between the constitutional right to strike and the constitutional right to education. *South African Journal of Education*, 34(2):Art. # 816, 15 pages. <https://doi.org/10.15700/201412071108>
- De Clercq F 2013. Professionalism in South African education: The challenges of developing teacher professional knowledge, practice, identity and voice. *Journal of Education*, 57:1–24. Available at [https://s3.amazonaws.com/academia.edu/document/s/31929455/DeClercq\\_JoE\\_2013.final.pdf?response-content-disposition=inline%3B%20filename%3DProfessionalism\\_in\\_South\\_African\\_educati.pdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIWOWYYGZ2Y53UL3A%2F20191220%2Fus-east-1%2Fs3%2Faws4\\_request&X-Amz-Date=20191220T061421Z&X-Amz-Expires=3600&X-Amz-SignedHeaders=host&X-Amz-Signature=2337d37d2411b95846df90e892e22d67bd7ab0e9d1fcf097b3abdcd643f4b33b](https://s3.amazonaws.com/academia.edu/document/s/31929455/DeClercq_JoE_2013.final.pdf?response-content-disposition=inline%3B%20filename%3DProfessionalism_in_South_African_educati.pdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIWOWYYGZ2Y53UL3A%2F20191220%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20191220T061421Z&X-Amz-Expires=3600&X-Amz-SignedHeaders=host&X-Amz-Signature=2337d37d2411b95846df90e892e22d67bd7ab0e9d1fcf097b3abdcd643f4b33b). Accessed 30 November 2019.
- De Groof J 2006. The overall importance of education law. In J Beckmann (ed). *Engaging the law and education in a transforming society: A critical chronicle of SAELPA 1996-2005*. Pretoria, South Africa: SAELPA.
- Dhlamini S 2017. Motshekga welcomes report highlighting loopholes in teaching profession. *Polity*, 31 July. Available at <https://www.polity.org.za/article/motshekga-welcomes-report-highlighting-loopholes-in-teaching-profession-2017-07-31>. Accessed 1 August 2017.
- Draper K, Hofmeyr J & Johnston A (eds.) 2017. *Teacher professional standards for South Africa: The road to better performance, development and accountability?* Johannesburg, South Africa: Centre for Development and Enterprise. Available at <https://www.cde.org.za/teacher-professional-standards-for-south-africa-the-road-to-better-performance-development-and-accountability/>. Accessed 1 August 2017.
- Durkheim E 1952. *Suicide: A study in sociology*. Translated by JA Spaulding & G Simpson. London, England: Routledge & Kegan Paul.
- Dutta MJ 2011. *Communicating social change: Structure, culture, and agency*. New York, NY: Routledge.
- Education International n.d. *Mugwena Maluleke (vice-president, Africa)*. Available at [https://ei-ie.org/en/detail\\_eb/4605/mugwena-maluleke](https://ei-ie.org/en/detail_eb/4605/mugwena-maluleke). Accessed 30 November 2019.
- Elder-Vass D 2011. *The causal power of social structures: Emergence, structure and agency*. Cambridge, England: Cambridge University Press.
- Ensor L 2019. The real problem with SA's schooling system. *Financial Mail*, 11 January. Available at <https://www.businesslive.co.za/fm/features/2019-01-11-the-real-problem-with-sas-schooling-system/>. Accessed 12 May 2019.

- Gu M 2001. *Education in China and abroad: Perspectives from a lifetime in comparative education*. Hong Kong: Comparative Education Research Centre, University of Hong Kong.
- Gunn J 2009. Agency. In SW Littlejohn & KA Foss (eds). *Encyclopedia of communication theory*. Thousand Oaks, CA: Sage. Available at <https://teddykw2.files.wordpress.com/2013/10/encyclopedia-of-communication-theory.pdf>. Accessed 28 October 2017.
- Hewson M 2010. Agency. In AJ Mills, G Eurepos & E Wiebe (eds). *Encyclopedia of case study research* (Vol. 1). Thousand Oaks, CA: Sage.
- Horsten D & Le Grange C 2012. The limitation of the educator's right to strike by the child's right to basic education. *South African Public Law*, 27:509–538. Available at [https://repository.nwu.ac.za/bitstream/handle/10394/17503/2012The\\_limitation.pdf?sequence=1](https://repository.nwu.ac.za/bitstream/handle/10394/17503/2012The_limitation.pdf?sequence=1). Accessed 30 November 2019.
- Jansen JD 2007. Pupils aren't the problem. *Times*, 13 September.
- Jansen JD 2008. SADOU-hooves knout ordering. *Rapport*, 7 September.
- Jansen JD 2011. *We need to talk*. Northcliff, South Africa: Bookstorm.
- Jansen JD 2013. Our children in chains. *Times*, 12 April.
- Leedy PD & Ormrod JE 2005. *Practical research: Planning and design* (8th ed). Upper Saddle River, NJ: Prentice Hall.
- Liwane N 2017. Quality education and professionalism in South African public education: An education law perspective. PhD dissertation. Potchefstroom, South Africa: North-West University.
- Makhanya M 2011. Liberate the public service to do its job. That's step one. *Sunday Times*, 13 November.
- Manuel T 2011. Two decades to make this country the South Africa we want. *Sunday Times Review*, 13 November.
- McGregor A 2010. (HSRC). Teachers are the ones 'bunking' classes. *Times*, 14 December.
- Metcalf M 2009. Critical analysis of 2008 Grade 12 results. *Sunday Times*, 4 January.
- Moloi KC 2014. The complexity of dealing with change in the South African school system: 20 years into democracy. *African Identities*, 12(3-4):264–282. <https://doi.org/10.1080/14725843.2015.1009619>
- Moses E, Van der Berg S & Rich K 2017. *A society divided: How unequal education quality limits social mobility on South Africa*. Stellenbosch, South Africa: Research on Socio-Economic Policy (ReSEP), Department of Economics, Stellenbosch University. Available at [http://resep.sun.ac.za/wp-content/uploads/2017/03/2372-Resep\\_PSPPD\\_A-society-divided\\_WEB.pdf](http://resep.sun.ac.za/wp-content/uploads/2017/03/2372-Resep_PSPPD_A-society-divided_WEB.pdf). Accessed 12 January 2019.
- Musgrave A 2007. *Special report on industrial strikes*. Pretoria, South Africa: BDFM.
- Oosthuizen IJ 2012. Education as profession. In IJ Oosthuizen (ed). *Aspects of education law* (4th ed). Pretoria, South Africa: Van Schaik.
- Press F, Woodrow C, Logan H & Mitchell L 2018. Can we belong in a neo-liberal world? Neo-liberalism in early childhood education and care policy in Australia and New Zealand. *Contemporary Issues in Early Childhood*, 19(4):328–339. <https://doi.org/10.1177%2F1463949118781909>
- Republic of South Africa 1996a. Act No. 84, 1996: South African Schools Act, 1996. *Government Gazette*, 377(17579), November 15.
- Republic of South Africa 1996b. *The Constitution of the Republic of South Africa (Act 108 of 1996)*. Pretoria: Government Printer.
- Republic of South Africa 1998. Employment of Educators Act, 1998 (Act No 76 of 1998). *Government Gazette*, 400(19320), October 2.
- Republic of South Africa 2000. Act 31, 2000: South African Council for Educators Act. *Government Gazette*, 422(21431), August 2.
- Rossouw JP 2010. *Labour relations in education: A South African perspective* (2nd ed). Pretoria, South Africa: Van Schaik.
- Scott WR 2008. *Institutions and organizations: Ideas and interests* (3rd ed). Thousand Oaks, CA: Sage.
- Tan S 2011. Understanding the "structure" and the "agency" debate in the social sciences. In K Powers (ed). *Habitus* (Vol 1). New Haven, CT: Yale College. Available at [https://www.academia.edu/576759/Understanding\\_the\\_Structure\\_and\\_Agency\\_debate\\_in\\_the\\_Social\\_Sciences](https://www.academia.edu/576759/Understanding_the_Structure_and_Agency_debate_in_the_Social_Sciences). Accessed 30 November 2019.
- Tandwa L 2015. Sadtu accused of selling teaching posts. *News24*, 17 December. Available at <https://www.news24.com/SouthAfrica/News/govt-report-accuses-sadtu-of-selling-teaching-posts-20151217>. Accessed 1 March 2016.
- Van der Walt JL 2017. The current business and economics driven discourse and education: Perspectives from around the world. In N Popov, C Wolhuter, J Kalin, G Hilton, J Ogunleye, E Niemczyk & O Chigisheva (eds). *Current business and economics driven discourse and education: Perspectives from around the world. CES Conference Book* (Vol. 15). Sofia, Bulgaria: Bulgarian Comparative Education Society (BCES). Available at <https://bces-conference.org/onewebmedia/BCES.Conference.Book.2017.Vol.15.Full.Text.pdf>. Accessed 30 November 2019.
- Volmink J, Gardiner M, Msimang S, Nel P, Moleta A, Scholtz G & Prins T 2016. *Report of the Ministerial Task Team appointed by Minister Angie Motshekga to investigate allegations into the selling of posts of educators by members of teachers unions and departmental officials in provincial education departments*. Pretoria: Department of Basic Education, Republic of South Africa. Available at <https://www.education.gov.za/Portals/0/Documents/Reports/MTTJobsReport2016.pdf?ver=2016-05-20-173514-773>. Accessed 1 August 2016.
- Welch AR 1998. The cult of efficiency in education: Comparative reflections on the reality and the rhetoric. *Comparative Education*, 34(2):157–175. <https://doi.org/10.1080/03050069828252>
- Whittington R 2010. Giddens, structuration theory and strategy as practice. In D Golsorkhi, L Rouleau, D Seidl & E Vaara (eds). *Cambridge handbook of strategy as practice*. Cambridge, England: Cambridge University Press.
- Woolman S & Fleisch B 2009. *The constitution in the classroom: Law and education in South Africa 1994 - 2008*. Pretoria, South Africa: Pretoria University Law Press (PULP).

Zengele VT 2009. The involvement of teacher unions in the implementation of the Employment of Educators Act 76 of 1998. DEd thesis. Pretoria, South Africa: University of South Africa. Available at <http://uir.unisa.ac.za/bitstream/handle/10500/3189/>

Thesis\_zengele\_v.pdf?sequence=1&isAllowed=y.  
Accessed 30 November 2019.

#### **Legal Authorities**

*Eikendal Primary School and another v WCED and others* (394/09) [2009] ZAWCHC.