THE POLITICS OF TRANSFORMATION IN SOUTH AFRICA: AN EVALUATION OF EDUCATION POLICIES AND THEIR IMPLEMENTATION WITH PARTICULAR REFERENCE TO THE EASTERN CAPE PROVINCE

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ABSTRACT

The post-apartheid government of South Africa has committed itself to achieving fundamental transformation of the education system. The government has adopted policies and measures that aimed to bring about the goals of equity and redress, and to enhance democracy and participation of all groups in development and decision making processes at all levels. It is acknowledged that the democratic government has accomplished a lot in education within this short period and has made numerous strides in enhancing equity, redress and social justice; providing high quality education for all the people of South Africa; bringing about democratisation and development; and enhancing effectiveness and efficiency. However, despite these apparent achievements, this study shows that there have been a number of setbacks and contradictions in the policies which have affected the process of bringing about fundamental changes and transformation in the education sector. The setbacks and contradictions resulted from factors which have affected the type of policies developed to transform the education sector. They also affected the formulation and implementation of the policies, thereby limiting the achievements of the goals of transformation agenda in education.

Hence, this study examined the politics of transformation and change in the education sector by examining the type of policies that have been put in place; their formulation, implementation and outcome. The main research questions are:

- What kind or type of policies have been put in place to transform the education sector?

- How and by whom were the policies formulated?

- How are these policies being implemented and what have been the outcomes of the process?

Transformation and in particular the policy process is beset with continuous debate, contestation and struggle for the success of ideas and interests which are pursued by individual actors, groups and policy networks through the institutions. During these different stages policies are modified, constituted and reconstituted. As a result, they give rise to intended and unintended outcomes which are likely to support or contradict the objectives of those policies. Hence, the process cannot be explained using only one approach or theory. Therefore, this study has been situated in ideas, group and network and institutional approaches or theories to examine the factors that have affected education policies, their formulation and implementation and the overall transformation of education in South Africa. It contends that policy change and variation result from interaction of ideas and interests within patterns of group and policy networks and preset institutions. The study adopts qualitative interpretive methodology in order to question, understand and explain institutions; interests groups and ideas; socio economic and power relations involved in the process. It also appraises the framework for action.

In addition to conducting literature review, unstructured interviews were held with officials from provincial and national Departments of Education, members of national and provincial legislatures, principals, teachers, members of school governing bodies, learners, Non-governmental organisations, Community based organisations, Faith based

organisations, teachers' and workers' unions. Observations were made during meetings of school governing bodies. The study draws reference from the Eastern Cape Province between 1994 and 2002 and looks at the school level (Basic and Further Education levels). Reference is also made to selective policy instruments namely, the South African Schools Act (SASA) (1996), Curriculum 2005 and Norms and Standards for School Funding (1999).

Overall, the findings of the study have shown that various factors have led to setbacks and contradictions in the policies that were adopted in education. They have also affected the formulation and implementation of the policies, hence exerting certain limitations on the achievements of the goals of transformation in education. The factors identified in the findings are the outcome of the negotiated settlement and subsequent changes made by the apartheid government in education before the 1994 elections; constraints and unequal participation of different groups in education policy development in various established structures and avenues; drawbacks in the implementation of education policies by decentralised structures and agents at various levels. This was exacerbated by lack of capacity, lack of adequate resources, lack of commitment and will among some of the civil servants coupled with corruption and mismanagement. The legacy of apartheid and the homeland governments, together with existing backlogs added another layer. Consequently, there were challenges in the economic policy which led to inadequate funding for education.

The findings of this study show that competing ideas and interests advanced by groups

and networks have impact on decision making, policy content and implementation. Therefore, some policies will reflect and maintain the interests of those individual actors, groups and policy networks that exerted most influence. The findings also reveal that institutional norms and rules, inadequate resources, lack of capacity and skilled human resources and economic environment, constrain decision making, policy content and implementation.

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ACRONYMS

ABET	Adult Basic Education and Training
ADM	African Democratic Movement
ANC	African National Congress
AZAPO	Azania People's Organisation
BCT	Border, Ciskei and Transkei Region
C2005	Curriculum 2005
CDF	Ciskei Defence Force
CEM	Council of Education Ministers
CEPD	Centre for Education Policy Development, Evaluation and Management
COLTS	Culture of Learning and Teaching Services
CONTRALESA	Congress of Traditional Leaders of South Africa
COTEP	Committee on Teacher Education Policy
COSAS	Congress of South African Students
COSATU	Congress of South African Trade Union
CTLA	Ciskei Traditional Leaders Association
CUMSA	Curriculum Model for South Africa
DBSA	Development Bank of Southern Africa
DOE	Department of Education (National)
EDC	Education Development Centre
EDO	Education Development Officer
EDUPOL	Education Policy and System Change Unit

ELRC	Education Labour Relation Council
EMIS	Education Management Information Services
EPU	Education Policy Unit
ERS	Education Renewal Strategy
ERP	Education Rights Project
ESCECC	Eastern Cape Socio Economic Consultation Council
ETD - SETA	Education, Training and Development Sector of Training Authority
FFC	Finance and Fiscal Commission
FET	Further Education and Training
GET	General Education and Training
GEAR	Growth, Employment and Redistribution
HEDCOM	Heads of Department Committee
IFP	Inkatha Freedom Party
IPET	Implementation Plan for Education and Training
IMT	Interim Management Team
JET	Joint Education Trust
LAC	Learning Area Committee
MEC	Member of Executive Council
MTEF	Medium Term Expenditure Framework
NACTU	National Council of Trade Unions
NAFCOC	National African Federated Chamber of Commerce and Industry
NAPTOSA	National Professional Teachers' Association of South Africa
NCDC	National Curriculum Development Committee
NCOP	National Council of Provinces

NECC	National Education Coordination Committee
NEC	National Education Committee
NEPA	National Education Policy Act
NEPI	National Education Policy Investigation
NTB	National Training Board
NEHAWU	National Education, Health and Allied Workers Union
NETF	National Education and Training Forum
NGO	Non Governmental Organisation
NMP	New Movement Process
NQF	National Qualifications Framework
NUMSA	National Union of Metal Workers of South Africa
OBE	Outcomes Based Education
PAC	Pan Africanist Congress
PRF	Policy Reserve Fund
PTSA	Parents Teachers Students Association
SAAWU	South African Allied Workers' Union
SADF	South African Defence Force
SADTU	South African Democratic Teachers Union
SAOU	Suid-Afrikaanse Onderwysersunie
RDP	Reconstruction and Development Programme
SASA	South African Schools Act
SASCO	South African Students Congress
SGB	School Governing Body

TMC	Transkei Military Council
TNIP	Transkei National Independence Party
UDM	United Democratic Movement
USAID	United States Agency for International Development

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INTRODUCTION

The change from apartheid to democratic government in South Africa was a fundamental process that entailed thoroughgoing transformation in the economic, political and social spheres. With the advent of democratic rule in South Africa, the government had to redress past inequalities and remove discriminatory policies created by the apartheid regime (Samuel 1991). This included reaching out to the majority with adequate provision for and access to services, as well as re-directing the way services are resourced and delivered (Department of Education 1996). The process entailed establishing structures at different levels; and formulating new policies and regulations that would enhance equity, democracy and participation, and ensure redress in different areas. One of the targets of the above process of transformation has been the education sector which was highly contested and beset with a lot of challenges. This study looks at the politics of transformation and change in the education sector in South Africa. It examines the type of policies that have been put in place; their formulation, implementation and outcome.

0.1 South African Discrimination Policies and Racial Problems

For centuries the black population in South Africa were discriminated against and denied their political and socio economic rights. They were given inferior status and their human rights violated. South African racial problems had deep historical roots that began with the arrival of the Dutch in the Cape in 1652, and the Great Trek which took place between 1835 and 1841 (Elphick and Giliomee 1978; Magubane 1993; Landsberg 2004). The above developments led to deprivation, dispossession of land and other property, exploitation and violation of human rights of the black population groups in South Africa. It also led to the exclusion of blacks from participation in political and economic activities. The discovery of minerals, that is, diamonds in 1867 and gold in 1886 led to the introduction of an array of discriminatory laws and practices intended to keep black workers, particularly Africans as a reservoir of cheap and flexible labour (Magubane 1993). Many of the discriminatory features of the twentieth century South Africa, among them, pass laws, urban squatter settlements, impoverished rural homelands and the

African migrant labour system were first established in the course of South Africa's industrial development (De Kiewiet 1975).

With the establishment of the Union of South Africa in 1910, laws were enacted to further marginalise and exclude the black population groups (Oliver and Atmore 1974). Through legislation, political and property rights were overwhelmingly restricted to the whites while the majority black population was dispossessed and disenfranchised. The Mines and Works Act of 1911 stipulated that only whites were allowed to hold skilled jobs in the mining industry. The Native Land Act (1913) prohibited Africans from owning land in any part of South Africa outside a small area set aside for their use. Without the right to vote they could do little to change the laws that excluded them from the political process and participation in the economy (Bundy 1987).

Discrimination and exclusion of the black people was intensified when the National Party won elections on its apartheid platform in 1948 and took over the running of the government. Apartheid was institutionalised and legalised; henceforth racial discrimination became the apartheid government's policy and ideology that dominated South Africa's political, social and economic sphere. According to Magubane:

> The policies of apartheid were based on several major pillars: the Population Registration Act; the Group Areas Act; the Land Act; the Separate Amenities Act; and the Bantu Education Act. These pillars of apartheid controlled and dictated virtually all aspects of people's lives including their places of residence; ownership of property; movement; access to social and recreational amenities; access to educational facilities; rights of association; and franchise rights. This social engineering of apartheid – separateness – secured a virtual monopoly of power – political, economic etc. for whites. (Magubane 1993:52).

South Africa was proclaimed to be a white man's country in which members of other racial groups were denied political rights. Under the Bantu Authorities Act of 1951 (and later, the Bantu Self Government Act of 1959), Africans were moved to homelands or 'bantustans' and grouped as different 'nations' where they would be able to preserve their

own cultural identity (Behr 1988). Consequently, coloureds and Indians were also excluded from South African politics.

Education is one of the most important pillars in building any society and in ensuring a decent life for its people. However, during the apartheid era education was provided according to the roles that people were supposed to play in society. In line with its policies of discrimination, the apartheid state enacted the Bantu Education Act in 1953 which ensured that the majority of African children received education that relegated them to unskilled manual labour and low status jobs. On the other hand, education provided to white children prepared them for an almost complete monopoly of dominant positions in society (Lemmer 1991). Like in other sectors, racial discrimination strategies were used to allocate funding for education where schools that catered for white people received more funds than those allocated to other racial groups. The outcome was overcrowded schools, and inadequate classrooms with very high teacher: learner ratios in the schools that catered for black people. Consequently, many schools were forced to have double sessions. There was inadequate and poor quality teaching due to under-qualified and un-qualified teachers, poor salaries and working conditions (Lemon 1994).

In addition to the skewed allocation of state funding, the school curricula was saturated with racism and dogmatism and based upon outdated theories of learning and teaching practices. It perpetuated race, class, gender and ethnic divisions and denied common citizenship and national identity. There was no involvement of essential stakeholders in the educational sector and curriculum development process (Nasson 1990). There was unequal provision of resources for implementing the curriculum. For example, there were differences in the preparation and qualifications of teachers; and provision of essential resources such as libraries, textbooks, laboratories and other teaching and learning materials (Samuels 1990; Behr 1988). The curriculum failed to offer equal access to knowledge which resulted in black students' low and unequal access to both higher education opportunities and to the labour market. There was a racially and ethnically divided system of governance, with 19 operating departments under 14 different cabinets each implementing its own regulations under 12 Education Acts (ANC Policy

Framework on Education and Training 1995). The authoritarian system of educational governance and management produced a bureaucracy that was inefficient, ineffective and of low quality at all levels (Buckland and Hofmeyr 1993). The non consultative and top down style of bureaucracy restricted wider participation in policy formulation and ensured political control by its top echelons. Teachers, parents, workers, learners and community members were also excluded from taking part in education decision making (Centre for Education Policy Development 2000).

Resistance to the education system (which was also linked to the overall political struggle) was transformed in 1976 with the Soweto students' uprising where African learners boycotted the use of Afrikaans as a medium of learning. Student protests and school boycotts intensified throughout the 1980s and early 1990s (Lemmer 1991). Although such moves were geared towards challenging the state's education system, they were linked to the broader political struggle of black communities against the evils perpetrated by the apartheid system. Resistance to the apartheid system emerged from different angles despite incremental reforms introduced within the established framework. Civic and residents' associations emerged and organised rent and consumer boycotts. Similarly, the trade union movement organised strikes and stay aways (Landsberg 2004). Members of the ANC and PAC liberation army infiltrated South Africa's borders and destroyed important apartheid government targets. With the country on the verge of civil war, the apartheid government imposed a series of states of emergency, used the police and the army against opponents of apartheid and dispatched military forces on armed raids into neighbouring states (Kitchen 1994).

The same period also saw the intensification of international resistance against apartheid (Kitchen 1994). In the wake of increasing economic and cultural sanctions by the international community against the apartheid government, foreign investors withdrew, economic output declined and inflation became chronic. Consequently, changes on the international and regional levels contributed to a shift of stand by the ANC. The Agreement on Namibian independence by Cuba, South Africa and Angola led to the ANC's closure of its military camps in Angola in 1988. The Frontline States (Zambia,

Mozambique, Zimbabwe, Tanzania, Angola and Namibia) which had provided different kinds of support to the ANC exerted pressure on the latter to opt for a negotiated settlement. It was becoming economically difficult for the Frontline States to continue supporting the organisation (Friedman 1994; Landsberg 2004). It also became clear to the ANC that the Soviet Union which provided a lot of support preferred a negotiated settlement rather than a military option to end apartheid. The above developments forced both the apartheid government and the ANC to opt for a negotiated settlement (Landsberg 2004).

0.2   The Negotiation Process and Outcome

Different groups and parties participated in the negotiation process. This took place initially in a forum known as the Convention for a Democratic South Africa (CODESA) and later, the Multi-party Negotiating Forum. The ANC and the National Party (NP) government were the major role players in these negotiations. Each of the participating groups and parties intended to reach a settlement that was most favourable to its constituency and one that would serve its interests and values (Friedman et. al. 1994). The negotiations resulted in gains, losses and compromises by different parties and groups. Agreements were reached on a number of important aspects some of which have affected the transformation of education. Among the agreements reached involved the establishment of a democratically elected five year interim Government of National Unity led by a political coalition; the constitutional principles and the interim constitution as well as legislation required for holding democratic elections; national and provincial structures and the allocation of powers between the central government and nine new provinces. The interim constitution provided a framework for governing the country for five years, while a new constitution was being drafted by the Constituent Assembly. The ANC committed itself to sunset clauses where civil servants who served in the apartheid government structures were to be retained and their jobs guaranteed for five years (Atkinson 1994; Simpson 1996).

In the area of education different groups and constituencies advanced views on how to transform the educational system in South Africa in order to address the problems of the

apartheid system. Such groups and constituencies included the ANC and the Mass Democratic Movement (MDM), the NP, the business community, the labour movements (among them the Congress of South African Trade Union (COSATU), Non-governmental organisations (NGOs), teacher organisations (among them the South African Democratic Teachers' Union (SADTU), the National Professional Teachers' Organisation of South Africa (NAPTOSA) etc. and the international community. Different views were also advanced through the National Education and Training Forum (NETF) which was one of the fora established as a sectoral negotiating body in the area of education. Groups and constituencies presented contesting views on policy proposals that were likely to suit their interests and values. Negotiations led to compromises and concessions by different groups and constituencies, and agreements were reached that led to the adoption of some of the policy proposals.

The African National Congress (ANC) including its allies in the Mass Democratic Movement (MDM) and the White minority National Party (NP) advanced two main contesting views on the policy proposals. The key policy proposals advanced by ANC and MDM were (Ota 1997):

- the creation of a single national system of education with four levels of governance (national, provincial, local and institutional);
- the provision of ten years of free and compulsory, high quality general education for all the nation's youth;
- the provision of significantly expanded, high quality early childhood development education (ECD) and adult basic education and training (ABET) as well as increased access to and mobility within the post-secondary sector for all students, with cost recovery based upon the ability to pay;
- the establishment of statutory bodies at national and provincial levels so that a wider range of stakeholders can participate in the development of educational policy;
- the establishment of a single national qualification and certification structure;
- the development of a national core curriculum that integrates academic and vocational competencies;
- support for efforts to develop an adequate supply of competent teachers supported by lifelong professional development programmes and collective bargaining;
- support for students' freedom of choice regarding their language of instruction and rights of access to education.

The National Party's key proposals were (Ota 1997):

- the creation of a single but highly decentralised national system of education;
- the provision of increased parental choice through an emphasis on privatisation of schools;
- the creation of a national core curriculum;
- a redistribution of educational resources to equalise the expenditures for schools serving whites and non-whites;
- the subsidisation of teacher salaries and of other school expenses at the nation's predominantly white schools.

0.3 The Establishment of a Democratic Government and Transformation of Education

The democratic government established after the 1994 elections outlined the transformational vision for South African education as one that was comprehensive and which would bring fundamental changes in all major aspects of the educational system. Many of the policy proposals advanced by the ANC and the MDM, the NP and different groups and constituencies were adopted after the 1994 elections. The principles that guided the new government's transformation process and education policy formulation efforts were outlined by the Department of Education (1995) as:

- equity and redress: ensuring that all forms of unjust differentiation are removed and equal opportunities are provided to the majority of South Africans;
- democratisation: ensuring that democratic, representative and participatory governance prevails;
- quality: setting educational standards and ensuring that they are maintained in conformity with transformative norms, standards and ideals of excellence;
- development: making certain that the educational system is transformed to enable it to contribute to the common good of society;
- effectiveness and efficiency: ensuring that desired outcomes or objectives are achieved without unnecessary duplication and waste;
- institutional autonomy: ensuring that organisational choice and self regulation are embraced and facilitated.

The post 1994 election period witnessed the formulation and implementation of different policies. These policies were geared towards bringing fundamental transformation of South African education from a racially segregated and differently resourced system into a desegregated and more equalised one. Policies were formulated and implemented in

different areas. Among these included: democratic governance and democratising relations within and outside of the state; establishing of sound management systems at national and provincial levels to drive reforms; reviewing and strengthening resource allocation on the basis of redress and equity at all levels; taking the discourse of education policy and reform into the public arena for debate and discussion; and transforming learning by offering a curriculum that would shape future possibilities for education and training (Department of Education 1995).

The potential of the above policies and measures to achieve significant transformation and change is evident as they are based on the principle of moving the education system from its deep rooted inequality and inequity into that of equality and equity, access and redress. Evidently, the achievements accomplished so far by the democratic government in redressing imbalances, discrimination policies and racial problems outlined in earlier sections within this short period need to be commended. However, despite these apparent achievements, a number of studies have identified various setbacks and contradictions in the policies which have affected the process of bringing about fundamental changes and transformation in the education sector (Ota 1997; Jansen 1999; Jansen 2001; Sayed 2001; Soudien, Jacklin & Hoadley 2001; Vally & Tleane 2001; Oldfield 2001). Among the setbacks identified in the above studies are: that the current education policies have maintained inequities along class lines; in some of the policies education is seen and treated as a consumer good as opposed to a public right; there is lack of articulation within policies; economic strategies and policies pursued have failed to address existing inequities in education and so forth (Ota 1997; Sayed 2001; Soudien, Jacklin & Hoadley 2001; Vally & Tleane 2001; Oldfield 2001).

While acknowledging the above findings, this study shows that the setbacks and contradictions resulted from factors which have affected the type of policies developed to transform the education sector. They also affected the formulation and implementation of the policies, thereby limiting the achievements of the goals of transformation agenda in education, namely, enhancing equity, redress and social justice; providing high quality

education for all the people of South Africa; bringing about democratisation and development; and enhancing effectiveness and efficiency. The factors include:

0.3.1 Outcome of the Negotiated Settlement

Some of the compromises, counter-pressures and agreements reached in the negotiated settlement have affected and constrained education policies adopted to transform the education sector including their formulation and implementation. The establishment of the Government of National Unity during the transition period meant that decisions were made on the basis of compromise, negotiation and consensus. The outcomes were that the pace and extent of transformation in the education sector was limited as the post apartheid government was constrained from implementing key aspects of policies. It also led to protection of established interests since some communities were able to retain privileges and influence policies in their favour. Another aspect in the negotiated settlement was the establishment of national and nine provincial governments and the allocation of concurrent powers. The arrangement and functioning of systems and structures at national, provincial and local levels and corresponding allocation of powers and responsibilities led to misinterpretation of policies during implementation. It has also created incoherencies and, at times, confusion, constraining the process of policy formulation, implementation and delivery of services in education.

Through the sunset clause all civil servants who served in the apartheid government were guaranteed positions in the public service during the transition period, 1994 to 1999. Although they had skills and experience in generic administrative procedures they lacked the new transformation orientation and management styles. While others were willing to learn and change, some felt threatened by the new approach and continued with old practices that undermined the very changes that were being introduced.

0.3.2 Constraints and Unequal Participation of different Groups in Formulation of Education Policies

Education policy is generated by national and provincial executive representatives and then discussed by Heads of Department Committee (HEDCOM) after which it is passed

to the Council of Education Ministers (CEM) for approval. It is then presented to Cabinet for approval as an executive policy programme and thereafter it is either implemented or taken through legislative route to be adopted by parliament. The post apartheid government has ensured that education policy development is consultative by establishing different structures and avenues to enable participation of different stakeholders in the process. Among the structures and avenues are temporary commissions established by the Departments of Education, statutory bodies, hearings called by the Portfolio Committee on Education, and participation of people and groups in the provinces through the National Council of Provinces (NCOP). However, the structures and avenues have brought about unequal participation where organised privileged groupings, some with different values, aspirations and perceptions had more opportunities and pedigree in influencing or inputting into the policy process. Some of the structures were heavily weighted toward ministerial appointments. Many stakeholders who are responsible for implementation and those who were the target beneficiaries of the new education policies were left out of the process. Unequal participation has watered down some of the goals of the policies.

0.3.3 *Setbacks in the Implementation of Education Policies and Delivery of Services by the Decentralised Structures and Agents in different Levels*

The arrangement and functioning of systems and structures at national, provincial and local levels and allocation of powers and responsibilities has adversely affected policy implementation and delivery of services. The responsibilities of strategic control over educational norms and standards has been centralised in the national Department while the provinces are charged with policy implementation. Problems of allocation of powers and the functioning of structures at the national and provincial levels have resulted in misinterpretation of policies by the provincial Departments of Education. It has also led to same Departments setting their own priorities and implementing policies selectively. The fact that funding was allocated by provincial legislatures exacerbated the problem because the national Department had no control of financial resources. In addition, coordination between different levels has been wanting, as much as coherence around a clear set of outcomes. Challenges to policy implementation still persist although the

national Department of Education has attempted to address the problems by restructuring, including the establishment of new organisational structures and management strategies, and the introduction of other measures and regulations to ensure control, monitoring and support.

Another setback in policy implementation has been lack of capacity, motivation and commitment among civil servants. Those who served in the apartheid government had skills in generic administrative processes and experience. However, some of them lacked the orientation, will and commitment to adapt to the new approach and continued to function along the old practices, which undermined the implementation of some of the new changes that were being introduced. Their senior managers and other new employees most of whom were political activists and party cadres had awareness and better knowledge of the new orientation and the type of management style that was required. However, they lacked the necessary skills and experience to implement them despite the fact that they enjoyed political legitimacy and had commitment to transformation. Setbacks in education policy implementation can also be attributed to corruption, mismanagement and maladministration on the part of some of the civil servants. This is more endemic in provinces like the Eastern Cape which incorporated two former homelands.

0.3.4   *Lack of adequate Public Funding for Education*
Financial constraints have presented a major challenge for the implementation of policies and the government's transformative education programmes. With the establishment of the new government, it was realised that the country was already spending a large share of its gross domestic product (GDP) on education which is higher than the international average for developing countries. Hence, increase in education expenditure would only be financed by economic growth. In the initial two years, the post apartheid government put forward its Reconstruction and Development Programme (RDP) which was developed prior to the 1994 elections. It entailed massive human resource development as one of the key components driving the nation's economic reconstruction. Under the RDP budgeting for education would be based on needs. However, given the scale of injustices

and inequities that existed, it was realised that there was a need for more investment than the state could afford. Therefore, the government committed itself to a macroeconomic policy framework, the Growth, Employment and Redistribution (GEAR) strategy to provide stability in the economy and resources for attaining greater distributive justice. GEAR is based on an export led strategy with reduced tariff barriers to attract foreign investment and stimulate growth. It also emphasizes privatisation of essential state assets and removal of exchange controls. It is aimed at reducing the government's fiscal deficit and is focused on a projected economic growth of 6% per annum. However, the fact that GEAR failed to attract the amount of required foreign investment as expected and the economic growth per annum was at times negligible or very low meant that there was no additional funding for educational expenditure. Hence, additional funding to enable redress could only be raised by allowing schools to charge fees; redistribution of resources through the Equitable Shares Formula and resource targeting of poor schools (intra- provincial equity).

Justifications for charging fees were advanced by a number of stakeholders and experts. It was argued that since the government might not be able to fund the former Model C schools at the same level as before and if no other sources of funding were available it might affect the quality of education adversely. Therefore, there was likelihood that majority of parents in the middle class might opt to take their children to private schools, on the ground that the quality of education in public schools was low. This would deny the public schooling system the most influential people like business people, politicians, professionals, senior public servants etc. Moreover, allowing the former Model C schools to charge fees would free up additional public funds that would be used in addressing backlogs in the schools that served the former disadvantaged communities. The outcome of charging school fees has been that children from middle class families have stayed in public schools because they were able to hire additional teachers and acquire other essentials that enhanced provision of quality education. Although it has also enabled children of all races from middle class families to access quality education in the former Model C schools it has led to continued socio economic imbalances.

The post-apartheid government has attempted to direct greater levels of resources to provinces that were historically disadvantaged through the Equitable Shares Formula in order to address the issue of jurisdictional inequality and poverty. The Equitable Shares Formula was phased in over a period of four years so as to ensure that those provinces which were projected to receive real cuts in their budgetary allocations were given sufficient time to make the necessary adjustments, either to their expenditures or to their own revenues. However, despite these measures which have seen significant allocation to poor provinces, inequitable distribution of resources across provinces still remains. The poorer provinces, the Eastern Cape, Limpopo and KwaZulu Natal spend the least per capita on education while the wealthier provinces like the Western Cape and Gauteng spend relatively more per learner. This is despite the fact that the poorer provinces spend a proportionately high percentage of their provincial budget on education.

To achieve intra-provincial equity the government has adopted policy measures to direct more funding to poorer schools. In 1999 the Department established Norms and Standards of School Funding which stipulate funding procedures to promote equity and redress within the context of inadequate government spending and more reliance of parental financial contribution for education. The Norms and Standards provide the poorest public schools and those in bad physical condition a larger resource allocation than relatively advantaged schools. The major challenge is that the Norms and Standards of School Funding do not redress personnel costs in favour of poor schools, the way it does for non-personnel costs. Therefore, the proportion of the budget transferred from least poor to most poor is small; limited to non-personnel funds and is most likely to have very little impact on reducing inequalities. Wealthier schools remain to benefit as personnel costs favour schools that qualify for additional staff based on broader subject choices. Consequently, more weight is given to mathematics, science and technical subjects. Schools offering these subjects, most of which are former Model C schools, are allocated more teachers. Similarly, there have been challenges with the exemption clause because some schools exclude learners whose parents are not able to pay or those that are likely to apply for exemption.

The above factors, namely, the outcome of the negotiated settlement; constraints in participation of different groups in the formulation of education policies; setbacks in the implementation of education policies and delivery of services by the decentralised structures and agents in different levels; and lack of adequate public funding for education have impacted adversely on the policies that have been put in place to transform the education sector including their formulation and implementation.

0.4   Aims and objectives of the study

The aim of the study is to examine the transformation process in the education sector within the context and setbacks outlined above. This entails looking at the following aspects:

- Analysis of the policies that have been put in place in the education sector by assessing the conceptual coherence and content of such policies, including their goals, purpose, nature, scope, and context. Examining whether such policies contain coherent or contradictory goals and how the tensions between the two have been addressed.

- Examination of policy formulation in the sector will be pursued by looking at how the process takes place at different levels. It will also look at existing strategies and avenues for participation and how they are functioning. It will examine what groups or individuals are included or excluded in the process and how it has affected the type of policies that have been formulated to transform the education sector.

- Implementation of policies in the sector will be examined by assessing the structures in different levels, agents/groups and institutions involved in the process including their powers and functions. It will also look at the level of human, financial and other resources provided for implementation. It will examine implementation of one policy at the school level to assess which groups benefit from the process.

0.5   Research questions

The main research questions of the study are:

- What kind or types of policies have been put in place to transform the education sector?
- How and by whom were the policies formulated?
- How are these policies being implemented and what have been the outcomes of the process?

The study is premised on the fact that transformation including policy and the policy process involves an examination of a multiplicity of formal and informal negotiations, contestations and struggle between competing groups with different perceptions, expectations and interests. Transformation is a thorough going process of bringing about fundamental change that is designed to unseat the status quo and replace it with a qualitatively higher order. Seen in this light, transformation is progressive and beneficial, and addresses long term societal interests compared to ad hoc reforms. Transformation entails not only policies, institutions and processes but values and attitudes that resonate with and support the transformed environment. Contestations and struggle between competing groups in the transformation and the policy process as highlighted in the study takes place throughout the process, that is, when policy texts are being produced; when they are being discussed and scrutinised in public discussions and hearings; when they are being adopted in the legislature or other bodies; and when they are being implemented, monitored and evaluated. Such actors and groups use a variety of strategies and methods to influence decision making, policy content and implementation to their own advantage. As a result, in all its stages, the policy process is beset with continuous debate, contestations and struggle for the success of ideas and interests which are pursued by individual actors, groups and policy networks through the institutions. During these different stages policies are modified, constituted and reconstituted. As a result, they give rise to intended and unintended outcomes which are likely to support or contradict the objectives of those policies.

Hence, the examination and analysis of the process has to take above factors into consideration. It is also evident that the process cannot be explained using only one approach or theory. Therefore, this study has been situated in ideas, group and network and institutional approaches or theories to examine the factors that have affected education policies, their formulation and implementation and the overall transformation of education in South Africa. It contends that policy change and variation result from interaction of ideas and interests within patterns of group and policy networks and preset institutions.

The study adopts an interpretive qualitative methodology to examine transformation in the education sector, namely; the type of policies formulated, the policy development and implementation processes and their outcomes. Interpretive qualitative methodology entails getting close to research subjects in their natural setting in order to describe and understand the world through their eyes. It focuses on the process rather than outcome; the actor's perspective is emphasized; and its primary aim is in-depth description and understanding of actions and events (Babbie and Mouton 2004; Valadez and Bamberger 1994). By using interpretive qualitative methodology the study seeks to expose the different views and perceptions of the transformation process in the education sector of all the people and groups that have been included in the research, namely policy makers and implementers (members of national and provincial legislatures, officials from the national and provincial Departments of Education, representatives from political parties, teachers, representatives from NGOs, CBOs, FBOs and so forth); those from formerly disadvantaged communities who are the intended beneficiaries of the transformation process in education; and those from formerly advantaged communities most of whom were beneficiaries of the policies of the former regime.

Respondents would be able to look back at the effects that the oppressive and discriminatory education policies of the apartheid era have had on them and on the education system. They would then make a comparison in terms of the strides taken since 1994 by the new government in the long journey to redress the effects of past oppressive and discriminatory education policies and programmes. The use of interpretive

qualitative methodology in this study enables the researcher to: examine and expose the effects of education policies on the ground; examine how and where policies increase inequality and impact unfairly on particular groups; and provide opportunity to explore how injustices and inequalities are produced, reproduced and sustained; and be in a position to understand how such processes may be challenged or addressed.

Although the study looks at the process of transformation and policies in the education sector in South Africa, it pays particular attention to the Eastern Cape Province. Reference will also be made to selective policy instruments, namely, the South African Schools Act (SASA) (1996), Curriculum 2005 and Norms and Standards for School Funding (1999). The study will be confined to looking at school level (Basic and Further Education levels) and within the period between 1994 and 2002.

This study is divided into six chapters. The first Chapter gives the background information on the transformation process and the establishment of the democratic government in South Africa. It also discusses the establishment of the Eastern Cape province. The second Chapter is divided into two parts. Part I provides a conceptual and theoretical perspective on policies and the policy process. Part II outlines different research paradigms and methodologies to identify the research path and methodology of the study. The third Chapter is divided into two parts. Part I discusses the changes made by the apartheid government in the education sector and the schooling system in late 1980s and early 1990s. Part II outlines the initiatives and different groups involved in developing policy options in the education sector before the 1994 elections.

The fourth Chapter is divided into three parts. Part I discusses the structures and institutions established and powers granted to those institutions. Part II examines the policy development processes after the 1994 elections. Part III looks at education policies that emerged after 1994. The fifth Chapter examines policy implementation and its outcomes at the provincial level and is presented in two parts. Part I looks at the establishment and functioning of the Eastern Cape Provincial Department of Education. Part II examines the implementation of school governance in the Eastern Cape. The sixth Chapter provides conclusion to the study.

CHAPTER I

THE NEGOTIATED SETTLEMENT AND THE ESTABLISHMENT OF DEMOCRATIC GOVERNMENT

PART I
The Negotiated Settlement

This part discusses the negotiation process with the aim of showing that the settlement reached on the constitution, the system of government, the staffing of government apparatus and the policies of government were a product of negotiation and compromise. The negotiations entailed contestation and bargaining by a variety of actors and groups with different values, perceptions and preferences. The contestations and negotiations particularly by the NP led to compromises which watered down significantly many of the ANC's political goals. Because of this, the South African government system, including the education system that was established after 1994, was not a pure product of the ANC's initial political goals. Hence, this part examines the negotiation process in order to have a clear understanding of the compromises made in the negotiated settlement, some of which have partly affected or contributed to the challenges that impact on education policies and the transformation of the education sector.

1.1   Factors which Prompted the Negotiation Process

The years from 1976 to 1989 saw profound developments in South Africa which brought about the end of the apartheid era (Kitchen 1994). After the 1976 Soweto Uprising, domestic and international resistance to apartheid intensified and reached new heights. In order to defuse black anger and to minimize resistance, the apartheid government introduced incremental reforms, among them, the enhancement of powers of township authorities; an increase of the budget for education; the opening of opportunities for the urban black informal economic sector; the granting of bargaining rights to trade unions; and the scrapping of pass laws which restricted freedom of movement for black people (Pottinger 1994). In this regard, the move in 1984 to establish a tricameral parliament

with segregated chambers that included the so-called Coloureds and Indians was intended to fulfil the same purpose for the two population groups (Lawrence 1994).

However, discontent persisted as school and consumer boycotts, strikes and stay aways challenged the government's strategy of co-option. These moves led to the rise of civic associations, student and youth movements. The latter mobilized dissent after realising that reforms and other measures by the government were intended to entrench apartheid and exclude them permanently from participation in governance (Pottinger 1994; Cobbet 1990). The state reacted by using measures of repression and punishment as a coping mechanism. The security organs were controlled and concentrated in the executive in order to enable the President to make use of repression to quell violence and resistance. In 1986 a state of emergency was declared giving the security services an upper hand to combat resistance without much scrutiny by the courts and the press (Kitchen 1994). The cost of sustaining repression was very heavy on the state and measures taken to avert it were unsuccessful. Attacks by the African National Congress (ANC) which was operating underground increased during that time (Orkin 1995). Moreover, diplomatic and cultural isolation and economic sanctions imposed by the international community adversely affected the economy (Landsberg 1994). As the above events unfolded, attempts to refine and retain apartheid as planned by the state had failed. The apartheid government was forced to think about negotiations.

Changes on the international and regional levels contributed to a shift of stand by the ANC. On the international level, the 1986 Reykjavik summit between the Heads of State of the US and the Soviet Union paved the way for cooperation rather than confrontation among the two superpowers. It also set the stage for cooperation among the superpowers in resolving regional conflicts. The agreement led in 1988 to a US brokered accord involving Cuba, South Africa and Angola on Namibian independence. According to Landsberg:

> The parties agreed that the ANC should close its military camps in Angola and leave the country – thus radically limiting its remaining military options. This was just the most overt sign of a shift in Soviet foreign policy towards seeking negotiated settlements to regional conflicts in which it had

previously armed one of the belligerents. While the Soviet Union continued to pledge its support to the ANC, it became increasingly clear to the latter that its superpower ally wanted a negotiated rather than a military end to apartheid (Landsberg 1994:278-279).

Moreover, the Frontline States exerted pressure on the ANC to negotiate because it was difficult for them to maintain the required support due to economic problems. These states were therefore obliged to concentrate more on their own national interests. Landsberg stated:

> The Namibia agreement also confirmed another trend which strengthened the international impetus towards a negotiated settlement: it confirmed that the ANC's allies in neighbouring African states found support for its guerrilla war increasingly burdensome, and were prepared to withdraw practical support for it where – as it increasingly did – this conflicted with their own national interests. The changing regional and national climate contributed significantly to a shift in emphasis by the exiled ANC which from January 1987, began stressing its support for a negotiated settlement rather than a military victory (Landsberg 1994:279).

In addition to domestic factors, the apartheid government was also forced to enter into negotiations because of changes in the international scene. Cooperation between the superpowers led to a US/Soviet Union/European policy alliance on South and Southern Africa. The above countries held informal meetings and talks as a team with the apartheid government. They pushed the government to opt for negotiations and threatened to impose joint sanctions. The success achieved in the negotiations, which led to the withdrawal of Cuban troops from Angola and the Namibian settlement in 1989, motivated the apartheid government to re-examine the heavy costs of its military option and to rethink about negotiation. Informal discussions and secret meetings were held between NP officials and the ANC imprisoned leaders. Contacts were also held with the leadership of the exiled ANC in Lusaka.

In February 1990, President F.W. de Klerk legalised more than thirty anti-apartheid organisations; released eight long-term political prisoners including Nelson Mandela and Walter Sisulu; and removed many emergency regulations concerning the media and political detainees. He also announced his intention to negotiate a new democratic constitution with his political opponents. In October 1990, the parliament took a symbolic

step towards reform by repealing the Separate Amenities Act, which was an important legislation that propped the apartheid regime. Joe Slovo of the ANC made the following statement:

> We are negotiating because towards the end of the 1980s we concluded that, as a result of its escalating crisis, the apartheid power bloc was no longer able to continue ruling in the old way and was genuinely seeking some break with the past. At the same time, we were clearly not dealing with a defeated enemy and an early revolutionary seizure of power by the liberation movement could not be realistically posed. This conjecture of the balance of forces (which continues to reflect current reality) provided a classic scenario, which placed the possibility of negotiations on the agenda. And we correctly initiated the whole process in which the ANC was accepted as the major negotiating adversary (Slovo 1992:36-37).

In discussing the process of democratisation, Sorensen outlines some of the underlying reasons for a transition to democracy which confirm the position discussed above:

> Transitions to democracy are only very rarely based on the complete defeat of the elites who stood behind the previous authoritarian rule. In the vast majority of cases the transition to democracy is based on negotiations with the forces backing the authoritarian regime. The question then becomes: Why should the forces behind authoritarian rule enter such negotiations? There can be several reasons. Democratic openings are often preceded by a split in the coalition behind authoritarian rule, a split behind hardliners and soft liners. The latter may seek more democratic forms of rule perhaps in order to get the upper hand in a conflict with hard liners in the face of internal and external pressures and perhaps also due to normative commitments to democracy (Sorensen 1998:28).

A negotiated settlement on the country's transition to democracy meant that the process of transformation would be less abrupt and would be limited to reforming the existing status quo and its institutions. It also meant that both sides had to engage in discussions about the reforms to be introduced because each of the main parties had its own vision of the transition to a new order. Negotiations began in December 1991 with the establishment of a negotiation forum Convention for a Democratic South Africa (CODESA) where nineteen parties participated. However, the negotiations were abandoned after achieving little progress due to lack of trust between the NP government

and the ANC. There were also deep differences over federalism and power sharing (O'Malley 1994; Schneidman 1994). Due to international pressure, negotiations resumed in a Multiparty Negotiating Forum in April 1993 following the signing of the Record of Understanding between the ANC and the NP. Twenty six political groups participated in the negotiating forum. The Record of Understanding committed the NP to accepting an interim government that would prepare for the election of a transitional Parliament charged with drafting a new constitution. The ANC accepted to share state power with the NP during the transitional period (Rantete 1998).

1.2 Agreements Reached on Different Aspects

Although there were gains and losses through compromises by different parties and groups in the negotiations, agreements were reached on a number of important aspects, namely:

1.2.1 *Power Sharing during Transition Period*

It was agreed that there would be a democratically elected five-year interim Government of National Unity (GNU) led by a political coalition. It was also agreed that the centre of government would remain in Pretoria and that the new state President would be chosen from the party that won the largest majority of votes in nationwide non-racial elections. Any party that won at least 5 percent of the seats in parliament would be entitled to a place in the cabinet. The transitional parliament was to be charged with drafting and adopting a new constitution. The ANC accepted the idea of sharing power with the NP during the transition. The agreements on the transitional government represented important compromises by both the NP government and the ANC, and helped to set precedents for future negotiations. The NP won agreement on its refusal to give the new state President broad and extensive powers during the transition period (under the previous system the President could override the views of minority parties). However, the NP government compromised on the demand for a permanent consensus style arrangement to be enshrined in any new constitution by agreeing to a five-year transitional government. The arrangement satisfied the NP demand for legally binding checks and balances to protect the country's white minority.

On the other hand, the ANC compromised on its earlier insistence on full and immediate majority rule, by agreeing to participate in a power sharing arrangement for at least five years. A number of writers have expressed their sentiments concerning the motive behind the NP insistence on power sharing. According to Jung and Shapiro:

> Government reformers in the NP held most of the trump cards in the negotiations with their opponents, the ANC moderates. Although the NP leaders could not impose all of their wishes on their opposition, the ANC was not in a position to force the NP into major concessions because the ANC was not, militarily or otherwise, well positioned to take over the country without collusion from the apartheid regime. South Africa was, as a result, provided with a constitution that gives a great deal of power and leverage to its "old establishment" (Jung and Shapiro 1995:296).

Giliomee made a similar assertion:

> The negotiated transition of 1990 to 1994, far from indicating the collapse of the old regime or power structure, actually reflects the persistence of an established distribution of social and economic power. Power sharing is a product of the strength of the former political and economic elite (Giliomee 1995:93).

Hence, the above agreement posed certain limitations to the functioning of the democratic government after April 1994. An attitude of give and take in search for common ground had come to characterise inter-party relations particularly between the ANC and NP in the Government of National Unity. This affected the pace and the extent of transformation and the policies formulated in education and their implementation as decisions were to be made on the basis of compromise, negotiation and consensus. It also ensured that there was no major threat to NP constituencies' opportunities and privileges. Hence, established interests were protected (Chisholm 1994).

1.2.2   *Constitutional Principles and the Interim Constitution including Federalism*

The negotiating Forum agreed on a set of binding constitutional principles referred to as 'sacred principles' (O'Malley 1994). These principles had to be reflected in the final constitution. According to O'Malley:

The device of 'binding constitutional principles' was used as a key to unlock the impasse thrown up by the necessity of meeting both the conditions of legitimacy and inclusivity. Minorities would know that the final constitution, fleshed out and developed by a democratic body, would at least respect the core principles negotiated in advance. Such principles would codify the essential protections and goals of a democratic society respecting individual rights and those of culture, language and religion (O'Malley 1994:45).

The Forum also agreed further on the interim constitution as well as the legislation required for holding democratic elections. The Interim Constitution was ratified on December 22, 1993 and implemented on April 27, 1994. It provided a framework for governing for five years, while a new constitution was being drafted by the Constituent Assembly. The final constitution had to comply with the principles embodied in the Interim Constitution, including a commitment to a multiparty democracy based on universal suffrage; individual rights based on equality and non-discrimination; and separation of the powers of government.

The Interim Constitution also contained other key provisions, namely, proportional party representation in the legislature with representatives selected from lists of party delegates; a bicameral parliament comprising of a 400 seat National Assembly and a Senate made up of ten members chosen by each of the nine provinces; and a Constituent Assembly made up of both houses of parliament. The Constitution also defined the national executive (a President, two Deputy Presidents and the Cabinet), the judicial system (a Constitutional Court, the Supreme Court and lower level courts), the Office of the Public Protector, the Human Rights Commission, the Commission on Gender Equality, the Commission on Restitution of Land Rights and the Public Service Commission. Other provisions related to the police and security establishments, the continuation or repeal of existing laws, and international agreements and arrangements for legislative, executive, public service, legal, financial and other administrative bodies.

Among the schedules attached to the Interim Constitution were those which described the country's nine new provinces including areas that were still under contention, and the authority of provincial legislatures. The distribution of central and regional powers were

among the issues that were highly contested. In previous years the NP resisted federalism and endorsed centralisation. However during the negotiations it joined hands with the Democratic Party and Inkatha Freedom Party (IFP) to fight for a favourable settlement in the allocation of powers between the central government and the nine new provinces. The NP foresaw that it did not stand the prospect of achieving political power at the national level. Therefore, dividing executive authority between the central and provincial government would guarantee minorities their rights and a stake in the system. At that time, both NP and the IFP were able to protect their regional power base through promoting decentralised state power. While the NP was the majority party in the Western Cape, the IFP dominated in KwaZulu Natal, with each party holding the Premier's post in its respective province.

The ANC which had not favoured federalism on the ground that it was not an effective tool for redressing inequalities, accepted it "along with concession of a constitutional court, a set of constitutional principles and various other attributes associated with the federal model" (Southall 1998:6). Federalism was also retained in the drafting of the final constitution. However, Pottie (2000) observes that the 1996 Constitution was designed to promote cooperative federalism rather than competitive federalism. He noted:

> The emerging politics of federalism in South Africa has not necessarily led to strong and effective provincial government. In fact, financial instability, political turmoil and calls from some quarters to re-think the role and purpose of provincial government have marked the experience of provincial government since 1994 (Pottie 2000:38).

The agreements reached on the establishment and arrangement of a central government and nine new provinces, including their functioning and allocation of powers, posed major challenges in the formulation and implementation of education policies and the overall transformation of the education sector.

1.2.3 *Retention of Civil Servants that served in the Apartheid Government*

In the negotiation process the ANC commited itself to a 'sunset clause' that is, a temporary rule that guaranteed minority participation (Atkinson 1994; Simpson 1996;

Sayed 2001). Among the compromises made under this agreement was guaranteeing jobs and the retention of civil servants that served within the line departments of apartheid government structures for five years. This presented a challenge to the transformation of the process of governance in education and other sectors in South Africa in the years that followed. Some of the apartheid bureaucracy lacked the required orientation and will to adopt the new approach and continued with the old practices, a factor which adversely affected the implementation of the transformation agenda.

Due to pressures to meet deadlines, parties in the Negotiating Forum left open areas where they were not able to reach agreement. Similarly there were cases where they agreed on important rules, but not always on the resultant outcomes. These cases were also left open. Among such examples were loopholes in the agreement on the civil service. Although it was evident that there would be mutual suspicion between officials and elected representatives, and between old and new officials, the negotiations left room for differing interpretations of what was allowed and what was not. Such differing interpretations provided an opportunity to some people to advance their preferences and interests and this affected the process of transformation in education and other sectors.

1.2.4 Outcomes influenced by the International Community

The role of the international community in influencing the outcome of the negotiations is noteworthy. It has been observed that the international community provided advice and exerted significant influence on the negotiation process. Regional government was among the issues that were highly contested by the IFP, NP, DP and other smaller parties. The influence of western governments, among them Germany, Canada, the United Kingdom, the United States, Austria and Australia was evident. Most of them provided suggestions and advice on different types of federal systems with the aim of influencing the Negotiating Forum to opt for regional government. Members of different parties in the Negotiating Forum were invited for study tours to those countries to see how their systems functioned. Local business initiatives collaborated with foreign organisations in providing information that would enlighten the negotiating parties on federalism. The Consultative Business Movement hosted a workshop on regional government for

participants of the Multiparty Negotiating Forum, which was facilitated by a representative from the Harvard Law School. According to Landsberg (1994:288), "almost full consensus emerged on the importance of regions, how they would be constructed, and what the general division of roles would be". It is suggested that the workshop influenced greatly the thinking of the ANC on federalism and regional government (Landsberg 1994; Davenport 1998). The regional government model adopted by South Africa bears some similarities with the German model.

Evidently many of the above agreements have affected the transformation of the education system particularly the policies that have been put in place, their formulation, implementation and outcome. This is will be discussed in more detail in other chapters.

1.3 Establishment of Democratic Government in South Africa

This section discusses the establishment of the democratic government of South Africa. It identifies the political and executive powers of the democratic government including the new institutions and structures that were put in place to ensure that the transformation of education and other sectors take place as stipulated in the Constitution. The ANC took office after 1994 elections as the leading party of the Government of National Unity (GNU) alongside the NP and the Inkatha Freedom Party (IFP). Historically, the ANC and the NP have represented very different approaches to economic and social policy. As the ANC established some dominance in the policy terrain, significant areas of convergence emerged. In the economic realm, both the NP and the ANC accepted that South Africa should have a mixed economy. In the social arena, they agreed that the provision of education, health and housing for the black majority needed to expand dramatically. As far as the civil service was concerned, the ANC conceded the necessity of retaining bureaucrats from the old order. However, differences continued to exist and were responsible for shaping the outcome of attempts to meet the expectations and policy commitments in all sectors.

The new government established after 1994 consists of national, provincial and local spheres that are distinctive, interdependent and interrelated (Constitution of the Republic

of South Africa 1996 Chapter 3 Section 40(1)). The three levels operate under the principle of cooperative government. Notwithstanding this arrangement, some of the spheres, particularly the provinces, enjoy limited autonomy while a number of responsibilities and powers remain under the national government. This aspect will be explored further below.

With the establishment of a democratic government, the new democratically elected Parliament sitting as a Constituent Assembly (CA) drafted the final Constitution. Members of Parliament held public meetings throughout the country to solicit submissions from ordinary people and civil society organisations. Written submissions were also made. The 1996 Constitution closely followed the broad outline of 1993 Interim Constitution but emphasised cooperative federalism. The Constitutional Court rejected the first draft of the new constitution because it failed to comply with all the binding constitutional principles. However, it was approved in December 1996 after the necessary revisions were effected.

1.3.1   The Parliament

The new Parliament that was established after the democratic elections consisted of the National Assembly and the National Council of Provinces (NCOP). The National Assembly is elected to represent the people and to ensure that government is governed by the people as provided under the Constitution. The National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national sphere of government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting the provinces (Constitution of South Africa, S.42(3)-(4). The National Assembly consists of not less than 350 and not more than 400 women and men elected through a proportional representation system. In contrast, the NCOP is composed of ten delegates from each province (one of whom is the Premier who heads the delegation), three special delegates and six permanent delegates (Constitution of South Africa, S.60 (1)-(2). The purpose of having special and permanent delegates is to ensure that members of the provincial legislature are involved in the national legislature.

The Constitution outlines the legislative authority of the different spheres of government. According to Section 43, the legislative authority at the national sphere is vested in Parliament, while that of the provinces is vested in the provincial legislature. The local sphere of government is vested in the Municipal Councils (Constitution of the Republic of South Africa 1996, Section 43(c)).

1.3.2 Parliamentary Committees

In many countries, parliaments delegate part of their work to committees because it is not possible to conduct all parliamentary affairs together as a body. There are jurisdictions that give committees great autonomy but others delegate responsibilities to committees and retain decision making power in the plenary. South Africa falls in the second category where the Constitution provides for the establishment of committees. However, the final decision making power remains with the plenary in order to ensure representation of diversity of interests (Murray and Nijzink 2002). Committees are charged with the responsibility of developing expertise, undertaking detailed work by gathering adequate relevant information that would enable proper decision making on public policy. In performing their functions, committees provide a forum for public participation during public hearings. According to Murray and Nijzink:

> Public hearings are an important method of gathering information and committees provide the best forum for this as they act as a vital contact public. Hence they provide a forum for public participation, a source of expertise outside the executive and less partisan, more problem oriented discussion (Murray and Nijzink 2002:60).

Other avenues for public participation in the policy process in South Africa are provided through the establishment of commissions and statutory bodies at national, provincial and local levels (Department of Education 1995). This will be discussed in later Chapters.

1.3.3 The National Executive

The executive authority of the Government of South Africa is vested in the President. He or she is elected by the National Assembly at its first sitting after election and whenever necessary to fill a vacancy (Constitution, Section 86 (1). The President appoints the

Deputy President and Cabinet Ministers, assigns them powers and responsibilities and he or she can also dismiss them. Under the GNU, there were two Deputy Presidents, one drawn from the ANC and the other from the NP, the latter being the party with the second largest majority. This arrangement changed when the NP pulled out of the GNU (there was no provision to that effect in the Constitution).

The NP pulled out of the government in 1996 with the establishment of a permanent Constitution, although it could have stayed on till 1999. The reasons provided by NP for opting out of the Government of National Unity was that it could not concentrate effectively on its role as a major opposition. However, it is suspected that the NP felt that the Democratic Party (DP) was making huge inroads into the white vote at the NP's expense. It is also speculated that the NP having secured its position through guarantees in the Constitution, saw there was no purpose of staying in the Government of National Unity where it could not exert any further significant influence.

1.3.4 Provincial Government

1.3.4.1   Representation

The democratic government established nine provincial governments and legislatures in 1994. This task posed numerous administrative and financial challenges (Southall 1998; Pottie 2000; Pampallis 2002). First, the nine provinces had to be demarcated for administrative and electoral purposes. Second, the former homelands had to be integrated with previous regional structures of the apartheid era. Third, the new provincial legislatures had to be established from scratch.

The Constitution provided for provincial legislatures consisting of between 30 and 80 members (Southall 1998; Pottie 2000). The number of members differs in each province and is determined according to the size of the population of the province (Constitution of the Republic of South Africa, Section 105(2)). The Electoral Act provides one seat for every 100 000 people whose ordinary place of residence is in the province (Pottie 2000). Members of provincial legislatures are elected in terms of proportional representation (PR) with an executive consisting of a Premier and Members of Executive Council

(MECs). They have limited powers, highly dependent financially on the central government and implement government policy. The executive authority of a province is vested in the Premier of that province. The Premier appoints members of the Executive Council from among members of the provincial legislature. They are charged with responsibilities of developing and implementing provincial policies as well as all national legislation within the areas where provinces and national government have concurrent responsibilities. They also coordinate the functions of the provincial administration and its departments.

During the transition period (1994 – 1999), the national and provincial governments were structured within the framework of a GNU. According to GNU rules, consensual politics and proportional representation played a role in the composition of the executive and distribution of cabinet positions. A party is required to have obtained at least 10% of the seats in the provincial legislature to be represented by a member in the Executive Council. Provinces with traditional leaders had to establish Houses of Traditional Leaders to advise on matters concerning traditional law and customs (Southall 1998).

In the 1994 elections, the ANC gained provincial power by winning the majority of the votes in seven out of the nine provinces. Only two other parties, the IFP (with 50.3% of the vote in KwaZulu Natal) and the NP (with 53.2% in the Western Cape) gained power and premiership in those provinces (Reynolds 2000; Southall 1998). In 1999, the ANC gained majority votes in seven provinces. However, in KwaZulu Natal and the Western Cape, the ANC formed coalitions with the IFP and the NP although both IFP and NP retained the premiership.

As stated in earlier sections, the National Assembly together with the NCOP constitutes Parliament. The NCOP may pass legislations in areas falling under functional jurisdiction of provinces and all national bills from the National Assembly. However, it cannot initiate money bills. The NCOP replaced the Senate when the 1996 Constitution was adopted and came into operation. Southall (1998) outlines the reasons for the adoption of the NCOP, which was established from a model borrowed from Germany:

This model was borrowed because of dissatisfaction with the Senate, which although composed of members elected by the provincial legislatures, was deemed not to have served its role of representing the provinces adequately. Indeed once elected, Senators tended to vote along national party lines, and there were no formal mechanisms linking them to their provinces' legislatures or governments (Southall 1998:15).

The NCOP comprises of 90 delegates, that is, ten delegates from each province. Ten additional members who represent local government do not have voting rights but may address the NCOP and its committees on matters pertaining to local government. The provincial delegation is headed by the Premier of the province and consists of six permanent delegates and four special delegates. The permanent delegates serve for the entire period of five years and are based in Cape Town. The four special delegates are appointed from time to time to represent the province on specific matters. The composition of special and permanent delegates is required to comply with democratic principles including representation of minority parties. Each provincial delegation in the NCOP has a single vote that will be cast by the head of the delegation. Agreement is reached in the NCOP when at least five provinces vote in favour of a bill.

1.3.4.2   Powers and Functions

The establishment of nine provinces in terms of the Interim Constitution brought a new system of government in South Africa. However, in drafting the 1996 Constitution, "the place of the provinces in the overall form of the government/state remained contentious" (Pottie 2000:41). The extent of the powers and functions of provinces was part of the debate which centred on whether the new government should be federal or centralised. With a majority vote in the 1994 elections, the ANC avoided having serious and meaningful discussions on the issue of federalism in the Constituent Assembly when the 1996 Constitution was being drafted. With IFP out of the Constituent Assembly because of the ANC negation on the issue of international mediation, the model of cooperative government was adopted (Southall 1998). Cooperative government was supposed to promote coordinated governance instead of allowing the provinces to compete among themselves, and with the national government, for power and resources (Southall 1998;

Lodge 1999; Pottie 2000). The 1996 Constitution outlines that in cooperative government each level is charged with cooperating with one another in mutual trust and good faith by (Constitution Section 41(1)(h):

> (i) Fostering friendly relations;
>
> (ii) assisting and supporting one another;
>
> (iii) informing one another of, and consulting one another on, matters of common interest;
>
> (iv) coordinating their actions and legislation with one another;
>
> (v) adhering to agreed procedures; and
>
> (vi) avoiding legal proceedings against one another.

Structures and institutions have been established to promote, facilitate and enhance cooperation among the three spheres of government and to provide for mechanisms and procedures to settle emerging disputes.

Provincial and national governments have concurrent powers over a number of spheres. These include education, health, social welfare, environment, tourism, agriculture and so forth. The Constitution provides very few areas of exclusive legislative competence for provincial government. The areas are set out in Schedule 5 Part A of the Constitution as: abattoirs; ambulance services; archives other than national archives; libraries (other than national libraries); liquor licences; museums (other than national museums); provincial planning; provincial cultural matters; provincial recreation and amenities; provincial sport; provincial roads and traffic; and veterinary services excluding regulation of the profession. Provinces have executive authority as long as they possess the necessary administrative capacity. Under section 100 of the Constitution, the national government may take over functions that a provincial government has failed to perform properly. However, the national government is obliged to ensure that provinces build their own capacity.

1.3.4.3   Financial Responsibilities

Provinces are entitled to an equitable share of the revenue collected nationally. Close to 95% of provincial budgets comes in the form of transfers from the national government (Ajam 2001). The transfers take two main forms:

First, provinces' equitable share of nationally collected revenues. This is calculated on the basis of a formula constructed by the National Treasury. The formula reflects several provincial variables that include the size of the school age population and the number of learners enrolled in public ordinary schools; the distribution of capital needs in education and hospital facilities; the size of the rural population in each province; and the size of the target population for social security grants weighted by a poverty index (Department of Education 2001). The details of the formula are negotiated in the Budget Council (comprising of the Minister of Finance and the nine provincial MECs for Finance) and approved by the national Cabinet (Ajam 2001).

The Financial and Fiscal Commission (FFC), an advisory body established by the Constitution, makes recommendations on what would constitute an equitable division of nationally collected revenue among the different spheres of government. The Treasury, the Budget Council and the Cabinet must consider the recommendations of the FFC but are not bound to follow them (Pampallis 2002). Once received, the equitable share grants or block grants may be allocated by the provinces as they wish. Although the formula includes specific components that take into account the demand for education, health and welfare services, the Department of Finance emphasises that these components are neither indicative budgets nor conditional (Ajam 2001).

A second source of provincial revenue (a little over 10%) comes in the form of conditional grants transferred from national government. The grants are allocated to provinces for specific purposes and may only be used for those purposes (for example academic hospital services, school infrastructure and so forth). Conditional grants are usually made to compensate for cross border services (for example when a significant number of the residents of one province regularly make use of the health or educational services of another province) or to ensure that national priorities are reflected in provincial budgets (Department of Education 2001). Since these grants are usually made on the recommendation of national Ministers and administered through national

Departments, national Ministries and Departments are in a position to influence expenditure on different activities.

The major problem with provincial financing has been overspending, particularly in the period between 1994 and 1999. According to the South African Institute of Race Relations (SAIRR) (1998) project overruns for the 1997–1998 financial year were 8 billion, close to 10% of the budgeted provincial allocation of 80.8 billion. Overspending was attributed to a number of factors (Financial and Fiscal Commission Report 1998):

- High wage bill for provincial public servants. Labour unions demanded salary increase ranging from 9.5% to 15%. Increase spending on salaries meant that the provinces had to abandon new projects and cut capital expenditure.
- Payment of debts incurred by former homelands before 1994.
- Lack of budget skills and bad expenditure practices including mismanagement by provincial public service staff.

Pottie (2000:45) identified a number of challenges which provinces face regarding financing:

- Provinces do not control salary levels as they are negotiated at the national level.
- Provinces have limited retrenchment powers.
- National policy decisions like the extension of free health care to pregnant women and children under the age of six eat into provincial revenue by reducing hospital fees while increasing service costs.
- Treasury transferred money to the provinces on a weekly not monthly basis. As a result provinces can no longer earn the interest on unspent money through the residual weeks of the month.
- Costs in education, health and welfare are difficult to drive downwards without provincial government bearing the political costs of an unhappy electorate.

Provinces have restricted revenue raising powers. According to Ajam (2001) provinces raise only 5% of their total budget, which is collected mainly from user charges such as motor vehicle licensing and hospital fees. The remainder of the revenue comes from the central government. The Central government has rejected proposals to give provinces

power to collect taxes, mostly because of lack of administrative capacity in the provinces (Lodge 1999).

1.3.4.4   <u>Governance</u>

The establishment of different provinces involved creating a unified representative system of public service across diverse racial and economic conditions and large geographical areas. According to Southall (1998:9), this process of transformation entailed:

- The amalgamation of previously racially based administrations into a single public service split between nine provinces and the national ministries.
- The relocation of staff and resources by the provinces into the departments identified by the constitution.
- The creation (in some cases) of new district level services.
- The rationalisation of provincial departments in line with the allocation of resources.

Provincial governments were required to come up with new strategies on how to improve government administration and delivery of services while at the same time keeping an eye on financial sustainability (Lodge 1999). Southall (1998:9) identifies the strategies as:

- reprioritising services in accordance with the policies of the new government;
- developing management skills to promote better service delivery;
- bringing services closer to the people, especially in rural areas;
- re-orienting services to focus on the disadvantaged groups in society.

There are 800 000 public service personnel employed in the provinces out of the country's 1.15 million employees. This includes those who work in labour intensive functions such as health and non-tertiary education. Close to 400 000 were inherited from former homeland administrations (Pottie 2000). Through the sunset clause all civil servants who served in the apartheid government were guaranteed positions in the public service during the transition period, 1994 to 1999. This also applied to those who served in the former homeland governments. New civil servants and those who were part of the old order had to come together to build a public service with a new working culture (Department of Education 2001). Most of the new civil servants lacked the necessary

skills and experience to run the public service. On the other hand, although those who served in the old apartheid government had required skills in generic administrative procedures they lacked skills in the new participatory management and transformation orientation. Most of them participated in training that was offered to all civil servants working in the new government to equip them with skills and orientation to the new management. However, some of them lacked the will to change and used their positions to undermine the changes that were being introduced (Pottie 2000; Fataar 2000).

1.4   Discussions Emanating from the Findings

The above findings reveal that by 1990 there was an accumulation of factors that exerted pressure on both the apartheid government and democratic liberation movements to come up with a negotiated political settlement to the South African conflict which was threatening to engulf the country in violence, bitterness and division. The Negotiating Forum, initially CODESA, and then Multiparty Negotiating Forum, included a variety of parties and entities which represented different interests, groups and constituencies, the NP and the ANC being the main role players. The negotiations entailed contestations and bargains by a variety of groups, parties, entities and actors with different values, perceptions and preferences. Bargains and contestations particularly by the NP led to compromises on many of the political goals and proposals advanced by the ANC.

Hence, the South African government system, including the education system that was put in place after the 1994, elections was a product of compromise. Among the agreements reached in the negotiation settlement included power sharing during the transition period; the adoption of constitutional principles and the interim constitution; the establishment of national and provincial governments; the retention of civil servants who served in the apartheid government for five years; as well as the adoption of legislation for holding democratic elections. Although there are other factors that have affected and contributed to the current challenges in the transformation and the performance of the government in the education sector, some of the compromises made in the negotiated settlement have also played a part. They include:

- the establishment of a Government of National Unity and power sharing during the transition period.
- the establishment of national and provincial governments and concurrent powers allocated to them.
- the retention of civil servants who served in the apartheid government for five years.

PART II

The Eastern Cape Province

This section outlines the background to the establishment of the Eastern Cape Province from the old Eastern Cape and the two homelands; the prevalence of poverty and underdevelopment particularly in the homeland areas; its political make up before and after the 1994 elections; and the overall problems associated with the construction of the new provincial administration.

The Eastern Cape Province was established from the amalgamation of the former homelands of Transkei and Ciskei with part of the former Cape Province. Like all the other provinces, the boundaries of the Eastern Cape province were confirmed in the Final Constitution of 1996. The selection of the provincial capital posed a challenge to the new government as five cities contested to be the capital of the new province. Pottie (2000) suggests that the interest of so many cities to house the provincial headquarters shows that the Eastern Cape administration was being forged out of diverse and competing territorial administrations. This was also evident from the fact that many of the top civil servants from the Transkei fought hard, hoping that if Mthatha would be the provincial capital of the new province they would be able to continue with the privileges and opportunities they had. Others had hoped that with the incorporation into South Africa, Transkei would have been a tenth province. At the same time many of the old Cape civil servants were not willing or keen to integrate and work with their counterparts from the former homelands. They preferred to have other towns besides Bhisho and Mthatha as the provincial capital (Southall 1998).

The legacy that the old Transkei and Ciskei brought to the Eastern Cape government was close to chaos as their administrations were riddled with corruption, fraud, theft, maladministration and inefficiency (Southall 1998; Pottie 2000). There were no reliable accounts kept since 1987 and most of the records had either been destroyed or lost. This made it difficult to construct asset registers for inherited offices or hold anybody

accountable for the chaos that ensued (ECSECC 2001). The problems of the two homelands, which now form part of the Eastern Cape Province, can be understood by looking at the origins and history of the homeland system.

1.5   The Establishment of Reserves and the Homeland System

The homeland system with its fragmentation, location, size, social and economic deprivation was a product of the process of the South African frontier wars during the 19th century and legislative confirmation in the 20th century (Bundy 1987). Following the discovery of diamonds in the 1860s the British imperial government expanded into Southern Africa and engaged in wars with different chiefdoms. In South Africa these Wars of Dispossession ended in the 1890s with the British stripping chiefs of their powers and replacing them with appointed magistrates and headmen (Bundy 1987; Southall and De Sas Kropiwnicki 2003).

Africans were pushed into native reserves, which were barren, infertile and too small to provide sufficient means of subsistence for the growing black population. The Native Land Act of 1913 confined Africans to the reserves and ensured that they were not allowed to obtain land outside this area, denying them of the right to own property. The passage of the Act was intended to provide continued access for the supply of low wage labour force to white farmers who were, at the time, the dominant group in South African politics as well as the magnates of the mines and other industries. Within a month of the passing of the Act, Africans were dispossessed of their land, lost their livestock and and thrown off white farms. The area set aside for Africans constituted only 7.3 per cent of the country's total land area which was inadequate for the expanding population. In 1936 the Native Land and Trust Act allocated an additional 15.2 million acres for the African population. Most of it was never released and it still proved to be too small for expanding population (Butler et. al. 1977). Politically, the Africans were denied the right to vote and this made them voiceless and powerless in providing any challenge to the system. The Africans in the Cape were granted franchise during the second half of the nineteenth century. However, towards the end of the nineteenth century, a series of Acts and legislations were passed to exclude them from the franchise (Bundy 1987;

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Mbeki 1992). With the establishment of the Union Government in 1910, the Africans in the Cape, like those in the rest of the country, were segregated and excluded from participation in the political and economic life of the country, and driven into servitude. From 1911, a chain of laws designed to reinforce this segregation and dispossession were passed (Oliver and Atmore 1974).

In 1948 the NP took over the administration of the country and moved immediately to enact the apartheid policy, which further institutionalised political and racial segregation. Among the laws passed were the Bantu Authorities Act, the Bantu Education Act, the Criminal Law Amendment Act, the pass laws and influx control regulations, and the Native Labour (Settlement of Disputes) Act (Landsberg 2004). Under the Bantu Authorities Act of 1951 and later the Bantu Self Government Act of 1959, the reserves were converted into 'homelands' or 'bantustans' where Africans were grouped as different nations under the pretext that this measure would enable them to preserve their own cultural identity. According to Cross (1994:142) the homeland policy or bantustanisation emerged out of a number of concerns:

- the need for a counter – revolutionary culture that would eventually frustrate the growing national consciousness and political consciousness promoted by labour and liberation movements;
- the need to restructure, rationalise and consolidate the existing mechanisms of control of labour;
- the need to minimise social, economic and political problems determined by the process of secondary industrialisation, which brought about increasing social and economic integration with profound political and ideological implications. Bantustanisation was supposed to feed white controlled industry with cheap labour in an orderly manner, while consolidating the foundations of white supremacy in South Africa.

The Bantu Self Government Act of 1959 designated eight national units or ethnic states (later increased to ten) based on linguistic and cultural grounds. In the period between 1963 and 1981, the ten homeland territories became 'self governing national states'. Of these, only four opted for independent status (Behr 1988). The territory of the homelands represented approximately 13 per cent of the total land surface of South Africa, much of it being poor agriculture land severely affected by erosion. The homelands remained overwhelmingly subservient to South Africa economically depending on income from migrant labour. Over 70 per cent of the economically active population was involved in

migrant labour system, almost all being male workers. Access to employment in the white areas was strictly controlled by the pass laws, and other restrictive legislations.

Under the Bantu Authorities Act of 1951, the apartheid government restructured chieftainship, whose powers were curtailed during the British rule. It established a hierarchy of Native Authorities (tribal, regional and territorial) with limited executive, legislative and judicial powers each guided and controlled by whites. The Promotion of Bantu Self Government Act of 1959 gave the 'self governing states' a number of executive and legislative prerogatives including control of land in the homelands, albeit under the utmost supervision of the local native commissioner (Mbeki 1992).

With the introduction of the influx control and the labour bureau system, chiefs were given the power by the native commissioner to select workers for contract labour. This opened the doors for bribery and corruption. Mbeki noted:

> In situations where there was an inexhaustible supply of labour, the chief's hands could be greased. He took money from those whom he recommended for a job under contract, as well as from those whom he promised to place at the head of the queue for the next call up for contract labour. Even though the chiefs were by and large illiterate they were placed at the head of school committees and took instructions from the Native Commissioners on how the schools should be run. The teachers had to carry out the chiefs' instructions or lose their jobs (Mbeki 1992:25).

This demonstrates that the roots of corruption, abuse of power and authoritarianism in the homelands originated during the apartheid era and permeated all structures and levels of administration.

1.6   Transkei and Ciskei Homelands

The following two sections look at political developments and class structure in the Transkei and Ciskei, the two homelands that were amalgamated into the Eastern Cape province. An examination of political developments including class structure shows the type of officials that formed the homeland bureaucracy and corruption and mismanagement which permeated all sections and structures of civil service since the

establishment of the two homeland governments.

1.6.1 Political Developments

Transkei was granted self-government by Pretoria in 1963 and gained 'independence' in 1976 under the leadership of Chief Kaiser Matanzima, the Paramount Chief of Emigrant Thembuland. His authoritarian domination and dictatorial rule lasted until 1986. He returned to power four times between the period 1963 and 1986 by the Transkei National Independence Party (TNIP) through 'carefully controlled elections which provided a veneer of democracy' (Southall 1992). The dominance of TNIP was closely associated with traditional authority and heavily dependent on the Transkei Defence Force (TDF), an instrument and creation of apartheid. Due to involvement in extensive corruption, Chief Kaiser Matanzima was forced by the apartheid government to step down in 1986 although he remained a member of parliament. He was succeeded by his brother Chief George Matanzima. The apartheid government took this measure in order to ensure that political control was retained by the Matanzimas, thus enabling the government to control the homeland and enforce its policies of racial discrimination and segregation (Southall 1992).

However, allegations of corruption and misappropriation of state funds led to George Matanzima and his six ministers being toppled in a bloodless military coup. Stella Sicgau, a daughter of the Paramount Chief of Eastern Pondoland was elected by the TNIP to take over from George Matanzima. However, she too was ousted from power by the army on 30 December 1987 on the grounds that she was involved in corruption or failed to act against corrupt managers and other civil servants within the government (Southall 1992). The homeland was placed under the Transkei Military Council (TMC) headed by Bantu Holomisa. The TMC attempted to root out corruption from the government by establishing commissions of enquiry to investigate different aspects of corruption, and ensuring that George Matanzima, his Minister of Finance and a number of civil servants stood trial for massive fraud, theft and malpractice. Such a move earned General Holomisa popularity with the Pretoria Government and the people of the homeland. However, other people suspected to have been involved in corruption, fraud, malpractice

and financial mismanagement and also implicated in the commissions of inquiry (like Kaiser Matanzima, Stella Sicgau and Sol Kerzner) did not stand trial.

Holomisa also attempted to distance himself from the Matanzimas' rule and actions and tried to show the people that he was different from the previous dictatorial regimes. He maintained close relationship with the liberation movements particularly (the ANC and the PAC) while at the same time showing loyalty to the Pretoria government. Three weeks before President de Klerk unbanned the liberation movements in 1990, the TMC lifted the ban on the ANC, PAC and "national and local opposition groups" (Southall 1992: 6). In the same year, trade unions in the homeland were allowed to operate and the Labour Relations Decree was passed to provide for the registration of trade unions, the introduction of structures of collective bargaining and the appointment of a National Manpower Commission (Southall 1992). Holomisa and his team (which consisted of different grouping from the homeland) participated in the negotiation process.

Transkei's neighbour, the Ciskei homeland accepted 'self government' in 1972. It gained 'independence' in 1981 under Lennox Sebe with his Ciskei National Independence Party as the ruling party. Ciskei had a little over half a million people and was divided into nineteen separate areas. Many of the areas were new resettlements designated particularly for migrant labourers who were forcibly removed from the urban and those areas earmarked for white people. The tribal authority system was revived and chiefs and headmen were appointed in the new settlements which had been absorbed in the Ciskei and had no tribal rulers before. As in the Transkei, the magnitude and level of corruption, abuse of power and authoritarianism by the traditional authorities and those who worked in the government was immeasurable. The move to independence in Ciskei brought a lot of opposition and resistance from various organised groups on the ground. Residents' associations had formed in most rural areas to resist forced removals and imposition of tribal authorities. Consequently, the South African Allied Workers' Union (SAAWU) organised around Mdantsane, a homeland city which was established as a reservoir of cheap labour from the rural areas of the homeland to the border area and East London industries (Dauda 1996). Although SAAWU was banned, residents associations put up

resistance by driving chiefs away, killing their livestock, and burning their houses. According to Southall and De Sas Kropiwnicki:

> Resistance to Sebe's regime became more widespread, peaking in early 1990, when it was estimated that some two thirds of the homeland's rural population had either burnt or returned their membership cards of the ruling Ciskei National Independence Party. Sebe responded by declaring a State of Emergency, ironically on the same day (2 February) as President Willem De Klerk made his historic speech unbanning the ANC (Southall and De Sas Kropiwnicki 2003:8).

The Ciskei Defence Force (CDF) overthrew Sebe on 4 March 1990 under the leadership of Brigadier Oupa Gqozo. Initially, the new military ruler was very close to the then recently unbanned ANC, freeing political prisoners and speaking at a mass rally under the ANC banner (Southall and De Sas Kropiwncki 2003; Daily Dispatch April 15, 2004). He promised to dismantle the tribal authority system and introduce democratic representation. At the same time he encouraged the formation of residents' associations whose number increased dramatically throughout the homeland.

However, things changed and he turned against the ANC. Fearing the power of residents' associations which were pro-ANC, Brigadier Gqozo banned the movement and re-established the tribal authority in 1991, a measure which brought back violence and further protests. Some of the reinstated headmen lost their lives and property while others resigned to save themselves. Brigadier Gqozo established the Ciskei Traditional Leaders Association (CTLA) to provide material and moral support to the chiefs and headmen. Due to persistent protests and violence another State of Emergency was imposed in October 1991. In September 1992, the ANC led a mass action campaign in Bhisho to bring down the Ciskei homeland government. The campaign ended tragically when Ciskei police and troops opened fire killing 29 people and wounding 200. By 1993 the support for the homeland government had waned and efforts to resist being reincorporated into South Africa proved fruitless.

1.6.2   Class Structure

The political situation in the homelands gave rise to different class structures with varied interests and perceptions. These structures have played different roles that have affected the process of integration of the homelands as well as the functioning of the new province.

As indicated above, chiefs had become salaried government officials as they formed part of the state machinery. This changed the role of chiefs who were initially regarded as a traditional ruling class. They now assumed the role of political managers having had to manage expanded budgets and large homeland bureaucracies. This was necessary in order to maintain control over the homeland states and to entrench the segregated system of apartheid. However, not all traditional leaders assumed that role or became agents of the apartheid government. Some of them resisted the homeland system and refused to be co-opted in the new leadership role extended by the apartheid government. They opted to join hands with trade unions and the democratic movement which was closely allied to the ANC. Many progressive chiefs joined the Congress of Traditional Leaders of South Africa (CONTRALESA), which was formed specifically to resist independence being forced by Pretoria on KwaNdebele homeland. CONTRALESA brought together traditional leaders who were in favour of unitary democratic South Africa and was aligned to the ANC.

Traditional leaders who accepted to become agents of the apartheid government dominated homeland political power and formed the majority in the homeland Legislative Assembly. The effect of this was to marginalize middle class aspirations. Southall and De Sas Kropiwnicki noted:

> …. the first Bantustan election in Transkei saw forty five elected members of a new Legislative Assembly (which replaced the Territorial Authority) outnumbered by sixty four *ex officio* chiefs. Similarly in Ciskei's first election in 1973, chiefs outnumbered elected members by twenty-nine to twenty. Implementation of this model elsewhere ensured that the chiefs were never outnumbered in Bantustan legislatures (Southall and De Sas Kropiwnicki 2003:6).

By controlling the government machinery, the homeland political leaders provided favours and employment to the homeland middle class in return for political loyalty and support. The homeland middle class supported the homeland government in order to maintain their interests. Therefore they were able to switch their loyalty even when changes of leadership occurred. In the case of both Transkei and Ciskei they were able to shift their loyalty to Holomisa and Gqozo respectively following the coup in 1987 in the former homeland and in 1990 in the latter.

The above two groups, that is the political homeland leaders including chiefs and senior administrators and the middle class among the ordinary rank and file homeland civil servants, made up the bourgeoisie of the homelands. Despite the fact that they performed different functions, they all depended on the state financially and they also had "common life style and investments (from bank accounts to liquor stores)" (Southall 1992:11). Nzimande (1992) went further and distinguished between different factions of the bourgeoisie in South Africa, which were also apparent in the homelands. He outlined them as bureaucratic, civil service, corporate and trading factions of the African petty bourgeoisie. According to Southall:

> The bureaucratic/state manager stratum (whether chiefly or senior administrative) consists of that faction of the petty bourgeoisie directly in control of the Bantustan state apparatus and which benefits directly from the Bantustan programme. In contrast, the civil service centred fraction is only temporarily tied to apartheid structures, and it shares many of the conditions of the working class in its relationship with the state and Bantustan authorities (such as poor salaries, tight political and administrative control over working lives, late payments and delayed salary increases). It is this civil petty bourgeoisie, which Nzimande views as potentially the most reliable ally of the working class and of progressive forces within the country (Southall 1992:11).

If Transkei is taken as an example, the bureaucratic petty bourgeoisie exerted its dominance between 1976 and 1978. This is the time when the Matanzimas, who were drawn from chiefly elites, headed the homeland. Their main concern was to secure autonomy for the homeland by maintaining independence from Pretoria: this would enable Transkei to become self sufficient and gain recognition as an 'independent state'. At the same time the economy remained highly dependent and politically determined by

the apartheid government. There was a heavy reliance on funding and seconded officials from Pretoria (Peires 1992; Southall 1992; Tapscott 1992). From 1978 there was more thinking on rural and regional development. There was another shift towards using experts, consultants, academics, NGOs and parastatal organisations than seconded officials from Pretoria (Tapscott 1992). Many of the consultants and experts, including academics, came from outside South Africa. Their ideas were more acceptable by the young middle class civil servants who occupied dominant positions in the homelands. This is the time when many of the political homeland leaders and other chiefs had been ousted from power and, in the case of Transkei, the TMC under Holomisa had taken over the reins of the homeland.

As a measure to impose greater financial control on the homelands, Pretoria established the Development Bank of Southern Africa (DBSA) as the major financial source for the homelands. The DBSA came up with new apolitical and technocratic strategies as a guide for regional development. The strategies were embraced by the young middle class civil servants many of whom had been promoted to senior positions within the civil service and were eager to manifest their dominancy and control (Tapscott 1992). However, Bank (1992) and Spiegel (1992) suggest that the control effected by middle class was only apparent in Mthatha as the picture was different in the small towns and in the rural areas.

During the Matanzimas' reign, which was the time of domination by traditional leaders, the small towns in the Transkei were under the control of local property owners and traders (Bank 1992). Mismanagement, corruption and inadequate funding led to neglect and deterioration of essential services. Movement of people from rural to urban areas due to prolonged drought and lack of land led to land invasion and the establishment of squatter settlements in the small towns. This provided opportunities and led to the formation of radical youth and civic organisations aligned to the ANC, PAC and other liberation movements. In the late 1980s and early 1990s these movements were able to exert pressure on town councils and local government to allocate land and provide services in the squatter settlements. There was greater involvement of such groups in the affairs of town councils where many of the old members were forced to resign.

Consequently, the rural areas of Transkei were the most affected and haunted by the dictatorial control of the Matanzimas (Spiegel 1992; Southall 1992). The homeland leadership established structures consisting of chiefs and headmen, police and informers, and local officials of the central administration. People in the rural areas were oppressed, harassed, intimidated and threatened by chiefs and headmen, police and informers, local officials of the homeland administration and a network of intelligence (Spiegel 1992). Bureaucratic red tape and corruption by all structures led to many ordinary rural people being denied essential services. People in the rural Ciskei were able to form residents' associations and put up resistance against coercive and corrupt traditional authorities. However, their counterparts in the Transkei were harassed and instilled with fear and threat by Matanzimas' homeland structures and intelligence networks (Spiegel 1992). When the TMC took over, traditional authorities in the rural areas were not disrupted neither did Holomisa (himself a chief) take immediate measures to dismantle them.

The magnitude of corruption and mismanagement that existed in the civil service in both homelands was destined to contribute to the difficulties of establishing the Eastern Cape province.

1.6.3   Economic Developments

This section presents the economic developments that took place in the homelands of Transkei and Ciskei, with the aim of showing the chronic poverty and economic difficulties experienced by the people. Pervasive poverty and economic conditions posed hardships to many households, many of who were unable to meet their obligations such as paying school fees. It also shows the difficulties experienced in maintaining partnership between communities and the Department in funding schools, where communities are required to raise additional funds as stipulated in the South African Schools Act (SASA) to enable schools supplement the limited funding provided by the Department of Education. As a result of poor economic development, enormous backlogs existed in the homelands. The above factors affected the amalgamation and the functioning of the provincial Department of Education given the fact that more resources were needed in the former homelands in order to achieve equity and redress.

In the 1960s the apartheid government devised a policy of industrial decentralisation in an attempt to create employment for the impoverished and overpopulated Bantustans by encouraging the establishment of industries on the borders of these territories. It offered incentives and assistance to firms that were prepared to settle at designated towns with perceived growth potential. Under this arrangement, industries were established in King William's Town and East London in 1964; Berlin 1972; and Queenstown 1975. The main emphasis in this first phase was stimulation of industrial activity on the borders of the homelands. In the second phase industries were established in the homelands in the towns of Butterworth, Mthatha (1969) and Dimbaza (1975). The third phase entailed the introduction of the Regional Industrial Development programme in the Border Ciskei and Transkei (BCT) region in 1981. Because the above industrial centres inherited different infrastructural facilities, the incentive packages, which were given until 1991, were not the same.

An examination of manufacturing industries showed a high degree of dependence on decentralisation incentives. Nel and Temple (1992) observed that 65% of the firms would not have been located in these regions without incentives. This applied to 81% of Ciskei firms and 78% of those in the Transkei. Khanya (2000) found that the single most important concession to 58% of the firms were labour incentives, followed by a transport subsidy (17%) and an interest subsidy (15%). Workers were subjected to the worst forms of exploitation in those industries, many of which were owned by Chinese industrialists from Taiwan. The government did not recognise their trade unions and prohibited the Wage Board, which was originally set up to protect the interests of unskilled and unorganised workers from determining wages for African workers employed in the border industries (Mbeki 1992).

The workers fell in two categories, namely, those who commuted daily to work on the 'white' side of the border and those that worked in industries in the homeland side. It was assumed that the wage earned from the industries would supplement earnings from subsistence farming. However, in reality the wages earned from the industries and from

migrant labour were the only real source of income for many households in the homelands (Mbeki 1992; Khanya 2000). Efforts to attract industry to the industrial development points of the BCT had limitations. O'Neill (1988:15) noted that the industrial centres "lacked local linkages and the forces of agglomeration necessary to promote sustained and meaningful development". He concluded that backward and forward linkages in the region were very weak.

The presence of the majority of industrialists was highly artificial because they relied mainly on state assistance for their survival and would not have settled in the area if there were no incentive packages (O'Neill 1988). This was evident towards the end of 1980s and early 1990s, the time that the incentives and subsidies were removed. Most industries in the homelands relocated to South Africa increasing the already soaring numbers of unemployed people. According to Nel and Tempe:

> Despite having 13.5 per cent of the country's population, the Gross Geographic Product (GGP) of the BCT region was only 6.6 per cent of the national total. In Transkei the unemployment rate averaged an estimated 32 per cent with a peak of 83 per cent in the Cofimvaba district. Unemployment in the Ciskei ranged from 26 – 35 per cent in urban areas, to 60 – 76 per cent in rural areas. Concomitant with the restricted employment opportunities was a very high dependency rate in the area. On average each working person in the Border region supported 1.6 others, compared to four others in the Ciskei and between 10 – 14 people in the Transkei (Nel and Tempe 1992:165).

As stated above, land shortage coupled with growing population in the homelands are among the factors that prevented most people from earning a living from agriculture. Many of those who were able to farm engaged mainly in subsistence agriculture for home consumption with very negligible production for sale (Bembridge 1984). Moreover, since the 1980s, recession and drought significantly affected agricultural production in the homelands (Perret 2002). As a result a very large proportion of food requirements (70 per cent) was bought from outside the homelands of Ciskei and Transkei (Beinart 1992). There has also been very heavy dependence on migrant labour earnings since the end of 19th century in both homelands (Bembridge 1984).

Within the same period there was a decline in the number of people employed in the mines, and those employed in the manufacturing sector, in the homelands, and in the border region (Bembridge 1984; Nel and Temple 1992; Beinart 1992). Southall states:

> In Transkei, for instance, whereas the number of Transkeian migrants employed by the Chamber of Mines declined from 125 900 in 1980 to 104 328 in 1990, the number of jobs in manufacturing within the homeland similarly decreased from 19 600 in 1985 to 14 621 in 1989. By the mid 1980s, in any case, minimum wage rates in Transkei had fallen to less than a third of their equivalent in South Africa and to far below the official Household Subsistence Level (Southall 1992:17).

Although the NP government provided funding for social services and other activities in the homelands, the provision of basic services was hampered by inadequate funding, weak incentives at the lower levels and poor management and administration. Lack of legitimacy of the homeland states created suspicion and exacerbated the lack of cooperation that existed between the government, service delivery agencies and the communities that were to be served, thus further weakened the effectiveness of development efforts (Donaldson 1992). On many occasions, priorities were given to programmes and projects which promoted and favoured elites' interests. Political influence and patronage was a determining criteria in both homelands in the provision and delivery of services, particularly in the provision of schools, clinics, water supply, irrigation schemes, road construction projects, housing and allocation of commercial farmland (Southall, Segar and Donaldson 1992).

1.6.4   *Establishment of the Eastern Cape Province*

1.6.4.1   Socio-economic Conditions Pertaining in the Province

The homelands of Ciskei and Transkei with their historical legacies and problems were amalgamated to the new Eastern Cape province. It was one of the seven ANC led provinces with Mr. Raymond Mhlaba (an ANC veteran) as the Premier until 1997 when he stepped down. In addition to managing the new province, the magnitude of the problems and chaos that ensued from the amalgamation process and integration of different departments, were too overwhelming for the aging Premier to handle. He was

succeeded by Reverend Makhenkhesi Stofile who was a national Member of Parliament. Given the historical, economical and political situation of the homelands, the Eastern Cape province became, and still remains, one the poorest provinces in South Africa, with 70% of its 6.2 million inhabitants classified as poor. Sixty four per cent of the people (4 million+) live in the rural areas under harsh conditions of deprivation (May 1998).

Female-headed households constitute a large proportion of households and male absenteeism (a result of migration) stands at 31% compared to the national average of 5%. Poverty in the province is deeply entrenched with 41% of households earning a monthly income of less than R 400 and a further 41% earning less than R 1 400. The average annual income per person is R 3 985 compared to R 8 148 nationally (Brooks 2000). The province is among those with most children of school going age living below the poverty line. This is illustrated in Table I below.

Table I: Number of Children Living Below the Poverty Line, 1995

		% of all children in province
Eastern Cape	2 182 949	70
Northern Cape	130 048	52
Western Cape	276 138	22
Free State	635 735	57
KwaZulu Natal	2 159 992	56
Gauteng	555 426	25
Mpumalanga	636 157	52
Northern Province	1 923 925	74
North West	585 890	49
Total	**9 086 260**	**54**

Source: EduSource Data News 1997

Rural unemployment stands at 49%, the former Transkei being the area with least employment opportunities. As a result, over 40% of the households rely on pensions and close to 20% on remittances from migrant labour (Khanya 2000). According to May

(1998), more than 75% of the people in this region live in informal structures; 85% do not have access to adequate sanitation and water. Most of them do not have access to electricity. Abject poverty is also prevalent in the rapidly growing informal settlements around major urban and peri-urban areas.

Per capita income of South Africa's provinces ranges from US$ 1072 in the Limpopo Province to US$ 6290 in Gauteng. This means that Limpopo and the Eastern Cape Province are among the poorest, while Gauteng and the Western Cape are the richest. The Human Development Index (HDI) also reflects disparities in human development with the Limpopo and the Eastern Cape Provinces having the lowest and Western Cape and Gauteng the highest (see Table II).

Table II: Provincial GGP Per Capita and HDI

Province	**GGP Per Capita**	**HDI**
Western Cape	4096	0.826
Eastern Cape	1550	0.507
Northern Cape	3368	0.698
KwaZulu Natal	2323	0.602
Free State	3003	0.657
North West	2202	0.543
Gauteng	6290	0.818
Mpumalanga	3662	0.694
Northern Province	1072	0.470
South Africa	**3160**	**0.677**

Source: Financial and Fiscal Commission 1998

The province has one of the largest education systems in South Africa with over 6400 schools, 2.3 million learners and more than 75 000 teachers and officials (Education Policy Unit, University of Witwatersrand Quarterly Review of Education and Training in South Africa 2000; Eastern Cape Department of Education (2000a)). ECSECC (2001) observed that in the 1996 School Register of Needs Survey, nationally the province had the greatest shortage of classrooms (15 538) relative to the number of learners and the highest learner classroom ratio (50:9) and teacher learner ratio (43:1 in primary and 33:1

in secondary schools). A total of 61674 educators (30% males and 70% females) were employed in schools in the province. It is estimated that 42% of the educators were under-qualified (ECSECC 2001; Eastern Cape Department of Education (2000a)).

Substantial inequalities also existed between regions within the province. The western part of the province is better resourced compared to the former Bantustan homelands of Ciskei and Transkei. Former homeland schools lacked administrators or managers. Educators performed the functions of teachers as well as administrators whilst in the former white schools, teachers taught and administrators managed. This division of labour existed in the more privileged schools between educators and administrators and this ensured that there was no confusion between the different functional areas of education management and teaching.

Most infrastructure backlogs were inherited from the former Transkei and Ciskei homelands, where learner: educator ratio is in excess of 80:1 and grossly inadequate classrooms and poorly constructed school buildings are still common. According to the provincial Department of Education there is a shortage of 40% of classrooms at the primary level and 34% at the secondary level. Other infra-structural shortages include limited teaching and learning materials, the need to provide running water and toilets to more than 34% of the schools, electricity to 77% of the schools, and telecommunication services to 81% of the schools (Eastern Cape Department of Education (2000a).

 By 1997 education levels among adults living in the province continued to reflect the rapid nature of apartheid education. According to a study by the Education Policy Unit, University of Witwatersrand (2000), most Africans over the age of 20 years had none or only some primary education and only 3% had any higher education. This is a great contrast compared to education levels among the white population. There is a direct correlation between education and unemployment, and poverty levels in the province (see Table III).

Table III: Racial Inequalities in Education and Employment in the Eastern Cape

	Education Levels of People over 20 years of age in 1997					Unemployment Rate in 1997 in %
	None	Some Primary	Some Secondary	Grade 12	Higher Education	
Africans	24.3	27.8	32.8	12.1	3.0	46.8
Coloureds	10.2	30.7	42.5	12.3	4.3	23.0
Indians	6.5	13.1	40.0	30.4	10.0	13.5
Whites	1.2	1.2	32.8	40.7	24.1	6.7
Total	19.3	24.2	33.9	16.4	6.5	37.5

Source: Education Policy Unit University of Witwatersrand: Quarterly Review of Education and Training in South Africa 2000.

1.6.4.2 <u>Amalgamation of the Civil Service</u>

Following the amalgamation process, the Eastern Cape Province inherited 140 000 civil servants from the three areas, that is, 55 000 from the Transkei, 20 000 from Ciskei and 65 000 from the Cape Provincial Administration. The Constitution provided for the Province to have 10 departments and these were to be formed out of 20 from the Transkei, 19 from Ciskei and the former Cape Province (Southall 1998; Pottie 2000).

With such a high increase in the number of civil servants, the budget for salaries rose from 41 per cent in 1994 to 45 per cent in 1995 as opposed to the 35 percent recommended by the national government (Southall 1998). The establishment of the province entailed rationalisation of the civil service, which included reduction of its size as well as the introduction of uniform public service conditions. It was discovered that the province had an excess of 18 000 staff and they were to be retrenched. The South African Public Servants' Association (formed from a merger between civil servants' organisations from the Transkei and Ciskei) objected to the measure which was abandoned. It was decided that the excess staff would be reduced through attrition, that is, replacement would not be made against positions of those who retired.

Moreover, there were plans to replace the old civil servants with new ones in top positions. This was supposed to be done through a voluntary retrenchment scheme. Unfortunately, most of the people who opted for voluntary retrenchment were those with most skills and experience, leaving the province with a bureaucracy that lacked skills and capacity. Many of the top civil servants holding positions of Director-Generals and Deputy Director-Generals (mainly from the Transkei and Ciskei) and who could not be absorbed were reluctant to take junior positions in the new province. They were also not willing to take up voluntary retrenchment packages. As a result, they occupied supernumerary positions and were paid by the province without performing any official duties (Southall 1998).

Rationalisation of the civil service entailed also removing ghost workers in the province estimated to be close to 10 000, at a cost of R 400 million per annum. The exercise of removing ghost workers involved working together with special police/security teams and Home Affairs Department to reissue new identity documents to all civil servants; conduct head count including putting physical security measures at the workplaces; and investigate fraud in all departments (Southall 1998; Khanya 2000; Pottie 2000). There were unauthorised appointments, salary increments and promotions made particularly in the Transkei and Ciskei before the end of the negotiations. The problem was more serious in the Transkei where, according to Southall (1998:10) "most of some 4 300 people subsequently declared to have been promoted irregularly throughout the country as a whole had been promoted in Transkei".

The provincial government established a number of commissions of inquiry to investigate corruption, illegal promotions, maladministration and misappropriation, fraud, theft and ghost pensions. The findings from the inquiries were implemented and some of the problems were addressed. However, the Departments of Health, Education and Social Development, where most thefts, misappropriations and fraud were initially reported, failed to prosecute most of the culprits (ECSECC 2001). The new province inherited 9.9 billion in debts incurred by the two homeland governments. It was written off by the

national government (Southall 1998). A lot of people who were entitled to pension funds were not able to receive them and facilities, supplies and support to schools were not provided. Health services particularly to the rural areas were poor and inadequate.

1.6.4.3 <u>Political Developments</u>

The ANC had been the dominant party in the province where it enjoyed the support of the majority of the people. Many of its top leaders were either born in the province or educated in its historical institutions and colleges. Therefore, it is not by coincidence that the ANC won 84% of the votes in 1994, taking 48 seats in the provincial legislature. The NP (later New National Party) won 9.8% of the votes and took 6 seats; the DP 2.1% and had 1 seat; and the PAC won 2.0% with 1 seat. The emergence of a new party, the United Democratic Movement (UDM), changed the picture in the 1999 provincial elections.

The UDM was formed in 1997 from a merger of Bantu Holomisa's National Consultative Forum (NCF) and Roelf Meyer's New Movement Process (NMP) (Ndletyana 1999; Southall 1999). As stated above, Holomisa had gained popularity from the people, chiefs, and civil servants for the bold measures he took to address corruption and maladministration, during Matanzimas' reign. He had also welcomed and provided a home for the liberation movements and individuals at a time when they were banned in South Africa. With the establishment of the democratic government, Holomisa was elected a Member of Parliament under the ANC ticket and became a Deputy Minister of Environmental Affairs. He was dismissed from the ANC in 1996 following his revelation to the Truth and Reconciliation Commission of Stella Sicgau's involvement in bribery and corruption (Ndletyana 1999). On the other hand, Roelf Meyer left the NP following the refusal of the latter to form a new party or merge with another one in order to rid itself of its shoddy past history. With the formation of the UDM, Holomisa was elected its leader and Roelf Meyer deputy.

The membership of UDM was drawn from different groups and areas of South Africa, but the largest membership was from the Eastern Cape province, mostly the former

Transkei. The UDM claimed that it would score enough votes to be the official opposition in the province. It campaigned and capitalised on a number of issues that would swing voters to its advantage during the elections. Failures and weaknesses in the ANC led provincial government were exposed. Among them was the amalgamation and rationalisation of the civil service with associated retrenchments, which threatened the job security of most civil servants, particularly those in the former homelands that had been declared supernumeraries. Government delays in effecting new salaries for civil servants who had received rank promotions was also brought up as an issue by the UDM.

The UDM also levelled criticisms against the ANC led government on delivery of services. Many people especially those from the rural areas of the former homelands were dissatisfied with services they received on such areas as education, health and social welfare. Some of them did not receive their pensions and disability grants because of problems of re-registration and delays in processing the grants. With inadequate funding and tight financial control, many Departments failed to implement their programmes as planned. This was aggravated by inefficiency, corruption, mismanagement and maladministration on the side of provincial civil servants.

Both the ANC and UDM competed to win the support of traditional leaders. Although the latter purported to be above politics by allowing all parties to campaign in their areas, it was evident that CONTRALESA was aligned to the ANC as two of their members were on its national candidate list. On the other hand, the relationship between traditional leaders and the Eastern Cape provincial government was not good. Traditional leaders were dissatisfied with the fact that provincial House of Traditional Leaders performed only an advisory role, and their powers were being taken by elected local councils. They were also unhappy with the provincial government's refusal to provide remuneration to headmen in the Ciskei (Southall and De Sas Kropiwnicki 2003). However, the ANC realised they needed the support of traditional leaders in order to overtake UDM by gaining more votes.

In March 1999 the provincial government provided salary increase to 227 traditional leaders enticing them with material benefits. According to Southall and De Sas

Kropiwnicki (2003:17), paramount chiefs were paid R 322 800 and chiefs 77 472 per annum. A five million rand package was extended to the Transkei's 997 headmen. However, the UDM gained significant votes in the Eastern Cape in 1999 elections. It won 13.6% of the votes and took 9 seats thereby becoming the official opposition. The results are presented in Table IV.

Table 1V: 1994 and 1999 Eastern Cape Provincial Election Results

	% of Votes in 1994	Number of Seats	% of Votes in 1999	Number of Seats
ANC	84.4	48	73.80	47
NNP	9.8	6	3.22	2
DP	2.1	1	6.29	4
PAC	2.0	1	1.14	1
UDM	Did not Exist	Did not Exist	13.60	9
Others	1.7	-	1.95	-
Total	100.0	56	100.0	63

Source: Adopted from Southall R (1999:165) ANC Versus the UDM in the Eastern Cape

In the 2004 elections, the ANC gained majority of the votes in the provincial elections in the Eastern Cape. However, inefficiencies, corruption, mismanagement and poor service delivery by the provincial administration is still prevalent. The powers of traditional leaders have not been clarified and tension between them and local government councillors continue to be felt. However, despite the above limitations, the UDM has not been able to provide a credible challenge to the ANC. Most votes for the UDM from the Eastern Cape came from Mthatha. Although it still remained official opposition, it did not gain more votes because it was confronted with divisions and defections at both national and provincial levels. Consequently, its performance and challenge as an official opposition in the Eastern Cape province has not been impressive (Ndletyana 1999; Southall 1999).

1.7 Concluding Remarks

The above discussions show that the Wars of Dispossession during colonial times and the apartheid policy marginalized the Africans by confining them into reserves and later segregated homelands. The condition of the people was exacerbated by poverty and unemployment and also by a corrupt, inhuman and inefficient system managed by self interest seeking elites. These factors have been carried over to the new Eastern Cape Province which has been beset by unending and unsolvable problems. The province remains one of the poorest and most populated provinces with a very unsatisfactory record of policy implementation and service delivery in almost all sectors.

CHAPTER II

THEORETICAL PERSPECTIVE AND METHODOLOGY

PART I

Theoretical Perspective on Policies and the Policy Process

Education reform in developing countries is driven by a number of pressures. Population growth and persistent fiscal crises require governments to search for educational policies that are cost effective while maintaining quality standards and providing access to as many citizens as possible. At the same time provision of education is one of the basic tasks required of governments. According to Nkinyangi (1991) "failure to provide access to education to all who desire it on terms that they regard as acceptable may call into question the government's legitimacy and threaten its political survival" (p. 159).

The aim of educational reform is intended to fulfil two compelling purposes, namely, to promote economic efficiency and enhance legitimacy of the government (Kelly 1990; Plank and Adams 1989; Jacobson and Berne 1993). However, the two imperatives require quite different policies. Policies intended to increase efficiency of the education system may undermine the legitimacy of the government. For example, measures to increase school fees or reduce labour costs may be met with strong opposition from learners, parents and teachers. According to Nkinyangi (1991) "opposition from educated, cohesive, articulate interests threatens government survival" (p.157). On the other hand, the implementation of policies intended to enhance government legitimacy may be beyond the means available to public officials. For example, the right of all citizens to basic education is enshrined in most national constitutions, and the goal of providing primary education for all children is reaffirmed by governments and international agencies every decade (Cheru 1995). Despite these declarations, however, millions of children remain out of school; and enrolment rates are falling in many

countries (Jacobson and Berne 1993).

As third world countries attempt to achieve the two competing objectives (Plank and Adams 1989). However, they are confronted with a number of problems in executing this pursuit. According to Plank (1990), "any significant change in the structure and operation of the educational system or in the distribution of educational resources is almost certain to damage the interests of one or more powerful constituencies. Educational reforms are therefore undertaken only at the peril of the government's survival" (p. 540). However, in the eyes of both domestic and international audiences failure to address educational reforms reveals lack of commitment to address a looming crisis. Inaction on such crisis threatens both domestic political support and the government's claim on international aid (Jacobson and Berne 1993). Therefore, often policy initiatives are announced but they remain symbolic as they are likely not to be implemented as planned. Plank (1990) argues:

> The consequence of this dilemma is a style of politics familiar in countries around the world, in which governments have much to gain from the announcement of policy initiatives and much to lose from their implementation. Under these circumstances reform rhetoric stands in for reform; the declaration of good intentions takes the place of action that might lead to its realisation. In adopting such strategies, politicians and public officials seek to gain the benefits that derive from active engagement with crises while avoiding the costs that inevitably accompany changes in the prevailing distribution of resources (Plank 1990:556).

Therefore, in many developing countries, transformation, or a stated agenda of educational reform, very often fails to achieve its goals.

Another major factor of education reform in developing countries is that the reform agenda is defined to a large extent by policy prescriptions from the international aid agencies especially the World Bank (Cheru 1995; World Bank 1992). Jacobson and Berne (1993:165) outline two main reasons:

- In many countries, the revenues that public officials can generate locally are no longer sufficient for the responsibilities assumed by the government in education as in other sectors. Local revenues are fully committed to the payment of salaries and the maintenance of existing programmes, and

resources needed to fund new initiatives must be sought abroad. The power to provide or withhold resources from governments gives the donors tremendous leverage over educational policies, such as deciding which reforms will be funded or withdrawal of support from governments that adopt policies disapproved.

- Most educational research in developing countries is conducted by or under the auspices of the principal aid agencies, primarily because they provide the necessary human and financial resources. Unconstrained by local political considerations, the policy preferences of the international aid agencies are guided largely by research-based assessments of "what works." As a result, the linkage between educational research and educational policy is much tighter than in developed countries.

Due to the pervasive influence of the international aid agencies, the educational reforms adopted in developing countries tend to look much the same (Samoff 1992). Kelly (1990) provided as examples those countries that are engaged in macroeconomic policy changes under the auspices of the International Monetary Fund (IMF) and the World Bank. The changes which are often referred to as 'structural adjustment programmes' include substantial reductions in public employment and public expenditure. Mkandawire (2002) observed that because the education system often accounts for the largest share of both, governments have been advised to adopt educational reforms that reduce costs and increase efficiency.

As a result, governments have reduced public expenditure on education and shifted costs of schooling from public agencies to parents and communities. Governments have also imposed or increased school fees and delegated the responsibility for the management and governance, including construction and maintenance of schools, to local authorities or local governing bodies (Bray 1988; Jimenez 1987; Sayed 2001). A second strategy adopted in many countries involves attempts to reduce the real value of teachers' salaries, which usually constitute the largest share of educational expenditures. Measures undertaken in this regard include the encouragement of multiple-shift schools or multigrade classrooms as an effort to increase pupil or teacher ratios without commensurate increase in teachers' pay (Jacobson and Berne 1993). The above shows some of the political dilemma of education reform. The political survival of many

governments is increasingly dependent on striking a balance between the policy changes necessary to ensure the flow of foreign assistance and investment and education policies and programmes that advance the interests of key domestic constituencies (Nkinyangi 1991). In most cases this has resulted in an increase of poverty and the undermining of equity agenda and programmes. Therefore in examining the transformation of education in South Africa and the policies developed there is need to take the above dilemma into consideration.

2.1   Definitions and Dimension of Policies

There have been numerous competing definitions of public policy, some complex and others very simple (Jenkins 1978; Dye 1982; Anderson 1990; Howlett & Ramesh 1995; Parsons 1995). Heclo (1972:85) defined policy as "course of action or inaction rather than specific decisions or inactions". It affects a large number of people and if chosen by government it becomes public policy. Policy is not an administrative rule applicable to a large single case but a settled course of action that is to be followed in numerous cases. According to Easton (1965:130), "policy consists of a web of decisions and actions that allocate values". Jenkins (1978:15) defined policy as a "set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where those decisions should, in principle, be within the power of those actors to achieve". Parsons wrote:

> To have a policy is to have rational reasons or arguments, which contain both a claim to an understanding of a problem and a solution. It puts forward what is and what ought to be done. A policy offers a kind of theory upon which a claim for legitimacy is made. With the development of modern electoral and party systems in industrial societies policy discourse became the main mode through which electorates engaged with politics and rival political elites. The politician is expected to have policies as a shop is expected to have goods to sell (Parsons 1995:15).

Despite these variations, most authors agree on certain key aspects, namely, that public policies result from decisions made by governments. It can also be concluded from the above statements that policy is a matter of authoritative allocation of values and the operational statements of those values or statements of prescriptive intent (Odora 1994).

Authoritative allocation of values draws our minds to the centrality of power and control that is inherent in the concept of policy (Kogan 1975; Prunty 1985; Ham & Hill 1984; Ball 1990). But policy is also about discourse and power (Ball 1990; Parsons 1995). Discourse designates the relationship between power and knowledge, and as shown by Foucault (1981), knowledge and power are inseparable. Forms of power are infused within knowledge, and power relations permeate forms of knowledge. According to Foucault:

> Discourses are not just about what can be said, and thought; but also about who can speak, when, where, and what authority. It is both an instrument and an effect of power; but also a hindrance, a stumbling block, a point of resistance, and a starting point for an opposing strategy (Foucault 1981:25).

Discourse provides a particular and pertinent way of understanding policy formulation, because policies are pre-eminently statements about practice, the way things could or should be which rest upon and derive from statements about the world, or about the way things are. Consequently, policies embody claims to speak with authority. They legitimate and initiate practices in the world, and they privilege certain visions and interests. According to Ball (1990), they are intended to bring about idealised solutions to diagnosed problems. They are "in short, power/knowledge configurations par excellence" (Odora 1994).

2.2 Types of Policies

In order for policies to be effective vehicles for bringing about transformation or fundamental change, there should be among other things willingness to depart from the values and procedures of the existing order (Sabatier 1987). In other words, there should be an initiative and agreement to come up with the right type of policies, which, if implemented effectively, would likely bring about the expected changes. Policies can be classified as either substantive or procedural (Lowi 1972; Anderson 1990; Parsons 1995). Substantive policies spell out what the government is going to do and procedural policies deal with who is going to take action and through which mechanisms. Policies can also be differentiated on the basis of the nature of their impact on society and the relationships

among those involved in policy formulation. They can be classified as regulatory, distributive or redistributive (Anderson 1990; Parsons 1995). Regulatory policies impose restrictions or limitations on the behaviour of individuals or groups. For this reason, regulatory decisions involve conflict between two groups or coalitions of groups, with one side seeking to impose control on the other. Hence in regulatory policies some groups may emerge as clear winners or losers, although winners might get less than they initially sought due to bargaining and compromises.

Re-distributive policies involve deliberate efforts by the government to shift the allocation of wealth, income, property or rights among broad classes or groups of the population in order to seek more fundamental change. Re-distributive policies are difficult to secure because they involve reallocation of money or power (including rights). Those who possess money or power rarely yield them willingly, and often they have the means for resistance (Ball 1990). Distributive policies involve the distribution of services or benefits to a particular or general segment of the population (communities, groups, individuals, corporations etc.). In most cases those who seek benefits do not compete directly with one another and their benefits do not represent a direct cost to any specific group. Hence distributive policies create only winners and no specific losers although taxpayers pay for their financial costs (Anderson 1990; parsons 1995).

Public policies have also been distinguished as material or symbolic policies depending on the kind of benefits they allocate (Anderson 1990; Jansen 2001). Material policies provide either tangible resources or substantive power to their beneficiaries or impose disadvantages on those who are adversely affected. Symbolic policies have little or no material impact on the people. They do not deliver what they appear to deliver and no tangible advantages or disadvantages are allocated by them. Most policies are neither entirely material nor symbolic. Policies that are material on the basis of legislative language may be rendered symbolic by administrative action or by failure of the legislature to provide adequate funds for their implementation (Jansen 2001). At the same time, policies may also move from being symbolic to a more material status. In South Africa, education policies have substantive, material, symbolic and re-distribution

aspects. Although policies emphasize goals of equity, redress and social justice, some have had limitations which have affected the attainment of those ends (Pampallis 2001; Sayed 2001).

2.3 The Policy Process

The policy process can be examined either by looking at the former as a series of activities or by understanding the influences on the process. An examination of the policy process as a series of activities does not emphasise "the content of public policy to be studied, but rather the process by which public policy is developed, implemented and changed" (Dye 1992:24). The term policy process in this case refers to specific phases of policy making arrayed through time, namely, agenda setting, policy formulation, policy adoption, policy implementation and policy assessment (Jones 1977; Anderson 1990; Parsons 1995; Lungu 2001). This is illustrated in Table V below.

Table V: Phases of the Policy Making Process

PHASE	CHARACTERISTICS
AGENDA SETTING	Elected and appointed officials place problems on the public agenda. Many problems are not acted on at all, while others are addressed only after long delays.
POLICY FORMULATION	Officials formulate alternative policies to deal with a problem. Alternative policies assume the form of executive orders, court decisions, and legislative acts.
POLICY ADOPTION	A policy alternative is adopted with the support of a legislative majority, consensus among agency directors, or a court decision.
POLICY IMPLEMENTATION	An adopted policy is carried out by administrative units which mobilise financial and human resources to comply with the policy.
POLICY ASSESSMENT	Auditing and accounting units in government determine whether executive agencies, legislatures, and courts are in compliance with statutory requirements of a policy and achieving its objectives.

Source: Dunn W. (1994:16) Public Policy Analysis: An Introduction

An examination of the policy process also entails looking at the forces that shape public policy in the country. Anderson (1990) groups these forces into official and unofficial actors; the former being governmental institutions such as the legislature, the executive and the judiciary and the latter comprising of institutions of civil society, such as non-governmental organisations (NGOs), policy networks and communities, other interest groups and ordinary citizens. Dye (1992) provides another perspective based on who makes policy and how policy is made. He identifies elites, the masses, interest groups and governmental institutions as actors who exert influence on public policy. He outlines methods of making policies as non-rational intuitive, rational comprehensive, incremental and game simulation methods. Warwick (1974) presents a model of the forces that shape public policy by adopting the environmental approach to policy analysis. He classifies the policy environment into external and internal sub-environments for an agency, with remote and proximate elements in both environments. Remote factors are those that exert direct impact on the policy process, while proximate elements exert indirect influences.

The above show the complexity of the policy process and change. Sabatier (1999: 3-4) elaborated the following reasons for the complexity of the policy process:

- There are normally hundreds of actors from interest groups and from governmental agencies and legislatures at different levels of government, researchers and journalists involved in one or more aspects of the process. Each of these actors (either individual or corporate) has potentially different values, interests, perceptions of the situation and policy preferences.
- Policy debates among actors in the course of legislative hearings, litigation and proposed administrative regulations typically involve very technical disputes over the severity of a problem, its causes, and the probable impact of alternative policy solutions. Understanding the policy process requires attention to the role that such debates play in the overall process.
- Most disputes involve deeply held values, interests, wealth, and at some point, authoritative coercion. Given these stakes, policy disputes seldom resemble polite academic debates. Instead, most actors face enormous temptations to present

evidence selectively, to misrepresent the position of their opponents or coerce and discredit them, or generally distort the situation to their advantage.

Hence, the policy process including initiation, formulation, implementation and evaluation should be seen as a process that entail inquiry and scrutiny with multiplicity of negotiations, formal and informal, contestation and struggle between competing groups. According to Soudien (2001:79) these struggles and contestations are initiated "at the point where policies are originated, are present in the moment of their inscription, are active when policies are mediated to the public, are signally present when they are implemented, and continue to shape the meaning of particular policies when they are subjected to critique in the academy and elsewhere". Hence policies are constituted and reconstituted within a continuum of activities and events from the textual to the practical. Within these processes of constitution and reconstitution, outcomes arise which may be both intended and unintended, and support or contradict the initial objectives of those policies. Given these circumstances and as researchers scrutinize the development and implementation of particular policies, there should be a tighter articulation of concerns in order to bring into the open issues about exclusionary, divisive and socially unjust intentions and consequences of such policies (Ozga 2000; Power 1994).

2.4   Approaches/Theories of the Policy Process and Change

While the above discussions show the complexity of the policy process, different studies articulate theories to examine the process. They include institutional, socio-economic, group and network and rational choice approaches and ideas. This study has been situated in ideas, group and networks and institutional approaches to discuss education policies, their formulation and implementation and the overall transformation of the education sector in South Africa. The following discussion presents the approaches that have been adopted to examine the study and outlines how they have been used to explain the findings.

2.4.1 Institutional Approach

Traditionally, the institutional approach concentrated on describing the formal and legal aspects of governmental institutions, mainly by discussing their formal organisation, rules and procedures, legal powers, activities and functions. However, the approach did not pay much attention to explain how institutions operate or analyse public policies produced by institutions. Moreover, it did not attempt to find out the relationships between institutional structures and public policies (Anderson 1990; Dye 1992). Subsequently, the attention of this approach shifted from concentrating on formalism to analysing the political processes within governmental institutions focussing on the behaviour of participants in the process and on political realities. Despite its narrow focus, the approach, can be used in public policy analysis. Government institutions are a set of regularised patterns of human behaviour known as rules or structures that persist over time. It is their differing kinds of behaviour patterns that distinguish, for example, courts from legislatures, from administrative agencies and so forth (Anderson 1992).

Rules and structures can affect decision making and the content of public policy. Rules and structural arrangements are not neutral and may give advantage to certain interests in society and withhold advantage from other interests. Some individuals and groups may enjoy greater access to government power under one set of structural characteristics than under another. Hence, the structure of governmental institutions may have important policy consequences. In some countries, power is allocated among different spheres or levels of government creating different arenas of action. In other cases certain groups may be able to exert more influence if policy is made at the national level whereas others may benefit more from policy making at state, regional or local level.

The institutional approach has been adopted in the study to explain the effect of institutional rules or structures, arrangements and procedures on the adoption and content of policies in the education sector in South Africa including the outcome of their implementation. This has been done by examining the institutions (the provincial and National Departments of Education, the National Assembly, the NCOP, provincial legislatures and other bodies) and the existing rules or structures of the institutions that

are involved in the education policy process. It also entailed an analysis of the formal policy process in education, and the different roles performed by each institution in the process. The above measures were intended to find out and explain whether institutional rules or structures facilitate certain policy outcomes or obstruct others; and whether they provide advantage to certain interests in the society or exclude others. The institutional approach has also been adopted to examine the organisation or arrangements of the institutions at different levels (national, provincial, district and school levels) including allocation of powers, roles and responsibilities in the policy process (formulation and implementation of policies in education) as provided for in the South African Constitution.

However, the institutional approach has limitations. For instance, it may not be adequate to analyse how different actors in the different institutional structures, for example, the executive (the national and provincial Departments of Education) relate to and interact informally with others (like groups from outside the government, politicians and other members of the executive and bureaucracy); and how such relationships and interactions affect the outcome of the policy process in education. Moreover, the Constitution of South Africa provides for consultations and participation of citizens in the policy process. However, the institutional approach on its own may not enable us to find out the informal relationships and interactions which take place in the different institutions and avenues between different groups during the policy, or on how they effect on the adoption and content of the policy.

The institutional approach is also not adequate to analyse the types of individuals or groups that participate or are involved in consultations, including their values, aspirations and perceptions; and those that are excluded from the process. This would have enabled the study to explain how inclusion and exclusion of different groups and individuals affect the adoption and content of policies and their implementation. Limitations of the institutional approach have been identified in a number of studies. John (1999) observes that the institutional approach tend to neglect the political and social context that affect the way formal rules and norms operate. Actors and groups often circumvent institutions

in the pursuit of their interests. Moreover, any institution becomes weak if powerful groups gain access to public decision making. Groups have resources to ensure that politicians and bureaucrats respond to their interests no matter what legal and constitutional weapons are available (Howlett and Ramesh 1995; Brown 1995).

Therefore, because of the above identified limitations, this study has complemented institutional approach with group and network approaches in order to analyse and explain the effects of the above factors on the adoption and content of education policies and their implementation.

2.4.2 *Group and Network Approaches*

Group and network approaches put emphasis on the importance of interactions between the participants in the policy process. This approach believes that policy emerges as a result of informal patterns of association. Groups formulate policy and set the agenda; they try to influence the legislative and executive decisions; they usually participate in the decisions about implementation; and they often implement policies themselves (Sabatier 1999).

Group approaches contend that politics is about associational relationships because the formal office holders are part of interest-based politics as are groups themselves. This means the political parties are composed of groups; legislatures are constituted by group action; and different branches of public bureaucracies behave as groups in their own right (John 1999; Anderson 1992). Hence, the assumption is that the state is fragmented into different groups each with its own interests and preferences. Advocates of this approach contend also that patterns of alliances build up between outsider groups and the bureaucrats. Such groups have different interests, preferences and powers. The patterns of alliances are the ones which structure policy rather than the institutions of the state.

 The group approach has been criticised for overstating the importance of groups while understating the independent and creative role played by public officials in the policy process. They have also portrayed a stable relationship between a few sets of actors

without taking into consideration the complexity of the policy process. It is contended that the emergence of a variety of issues besides economic interests, the prevalence of protest, the questioning of authority and the loss of certainty and optimism in solving policy problems, has led to a vast number of relationships between groups of all types and rendered the policy process more complex (John 1999). This has led to policy networks approach which explains relationships between decision makers as they operate in different policy sectors. The approach assumes that different kinds of relationships between group representatives, bureaucrats, politicians and other participants in decision-making account for the different ways in which political systems process policy (Rhodes 1994; Browne 1995; John 1999; Sabatier 1999).

The policy networks approach is different from group politics because the relationships between decision makers matter rather than the effect of the presence of an organisation in the policy process. It is similar to the group account because it focuses on the informal and associative aspects of decision making rather than just on formal arrangements. Rhodes (1994) asserts that currently policy making involves a large number of institutions in each policy sector, especially when there are elected and non-elected bodies. Although decision making bodies have room to manoeuvre, they normally depend on each other particularly in exchange of resources and therefore   form close dependent relationships within a policy sector. Relationships within a network can be established by finding out the extent in which actors are linked to each other; the person who facilitates contact of members/actors; the closeness of actors to each other in terms of the structure of their relationship and the number of clusters of relationships.

 Studies have distinguished between policy networks and policy communities (Rhodes 1994; Wilks and Wright 1987). Policy networks have loose, open and reputable actors. They are interest based and participants are assumed to take part in the networks in order to further their own ends, which are seen as essentially material and are recognisable from outside the network. On the other hand, policy communities are characterised by stable and restricted membership, shared responsibilities for delivering services and a high level of integration. They consist of a small number of participants who know each

other well and who share the same values and policy goals. It is assumed that policy emerges through the roles and values of the participants rather than through debates in the wider democratic process (Wilks and Wright 1987; Rhodes 1994; John 1999). It is also contended that networks are a space within which trust and policy learning takes place. Through networks actors trust each other and exchange policy ideas, and this enhances the potential for policy learning (Rhodes 1994; Browne 1995; John 1999).

Groups and policy networks approach has been adopted in the study to explain the effect of relationships and informal interactions that obtain in different groups and policy networks. These groups and networks consist of interest groups and lobbyists, experts, policy analysts, executive administrators, bureaucracies, politicians and other actors that formulate and implement policies in education. This study examines different groups and policy networks that were involved in the policy process in particular the South African Schools Act, their organisation and the relationships among them. It identifies how actors contacted each other and whether there were specific leaders in each group; it examines how close the actors were to each other in terms of the structure of their relationship; and it identifies the advantages and other means they had that enabled the groups and networks to remain cohesive. Furthermore, the study seeks to find out and explain how groups and networks involved in the policy process operate; why and how relationships in the networks are formed; how they are organised; how actors manage differences; and how all these factors affect decision making, the content of policies and the outcome of their implementation.

Groups and policy networks approach has also been adopted to examine the strategies and methods used by different groups and networks to influence the policy process in each phase and in various institutional structures. The main focus is on the South African Schools Act although reference is also been made to other education policies. However, the group and network approach on its own is not adequate to explain decision making, policy variation and change. The issue of how networks operate, their values, aspirations, interests and goals, including the strategies and methods adopted to influence decision making in the policy process, entails the inclusion of the role of ideas in the analysis. It is

assumed that ideas as well as interests bind together groups and individuals in a policy sector, thus enabling them to exert more influence (Anderson 1992; Parsons 1995; John 1999).

2.4.3   Ideas

The policy process is permeated by ideas about what the best course of action should be and beliefs about how goals could be achieved. However, in most cases there are disagreements on the goals to be achieved and the proper course of action to adopt. Therefore, participants or advocates of the policy process put forward contrary ideas and engage with others in order to emerge as winners. The advocates may be experts, agency bureaucrats, legislators, politicians, members of different interest groups and so forth. Hence, an ideas based approach emphasises that the reasons for policy change and stability are the ideas that the above actors bring to the public sphere. According to John:

> The reason why there are particular policies is because people believe and try to influence decision makers on the basis that there is a right course of action. Advocacy is a causal factor over and above the effects on policy of political institutions and interests (John 1999:145).

Consequently, Majone (1989) argue that in addition to political institutions and interests, advocacy has effect on policy change. He asserts: "We miss a great deal if we try to understand policy making solely in terms of power, influence and bargaining to the exclusion of debate and argument" (Majone 1989:2). Policy analysts contend that different public decision making fora in the US and many other countries weigh different forms of evidence and attempts to find solutions to policy problems. John argues:

> The reasons for policy change are not about the relative power of interests, each with resources and strategies which would be able to influence outcomes in the policy process, but about the quality of arguments which the lobbyists and government agencies present to other public decision makers, to the media and to other experts. The ability of participants to argue, to use rhetoric and to marshal evidence is crucial. Even if these activities are not scientific and hide real interests, the conditions of public discourse demand objective and research based argument. Advocacy, however, elaborates and stylizes such arguments while not challenging their rationality (John 1999:155).

Studies have shown the importance placed on the role of analysis and ideas on the policy process. Sabatier (1999) identified advocacy coalitions which form in a policy sector and whose members are distinguished from other coalitions through shared values and knowledge. Hence, a policy position is based on claims about knowledge and causation. Policy analysis and the growing need of arguments for evidence in the policy process has led to an increase in the number of participants, among them experts, analysts, technicians, journalists, television programmers, researchers and academics.

Ideas have also been important in policy transfers (Majone 1989). Policy makers investigate the negative and positive experiences of others and seek to apply the policy to their own contexts. In such cases what is being transferred ideas. Most of the approaches to the policy change and variation show the importance of ideas in the process. Institutional analysis emphasises the importance of ideas. As Krasner (1988) has shown, institutions effect actions by shaping the interpretation of problems and possible solutions and by constraining the choice of solutions and the way and extent to which they can be implemented. Although ideas do not have an independent existence, they play a major role in group and network approaches; and debates and ideas are advanced by competing interests to influence policies to their favour (Lindblom 1980; Ham & Hill 1984; Sabatier 1999; Kingdon 1984). This study examines ideas on policy options and debates advanced by different interests in education before and after the 1994 elections. It also analyses the strategies and methods used to advance those ideas by examining groups, networks and stakeholders with different interests and influences that participated and shaped the policy process in education as well as those that were excluded.

The discussion above shows that one approach on its own is not adequate to explain the policy process. As a result, the study has been located in ideas, group and networks and institutional approaches to examine the factors that have influenced policies, their formulation and implementation and the overall transformation in education.

2.5 Agenda Setting and the Policy Formulation Process

Of the many demands made on the government by the public, only a small portion will receive serious consideration by policy makers. The demands that policy makers feel compelled to respond to by taking action at a given time constitute the policy agenda. In order to achieve agenda status, a problem must become an issue or a "matter requiring public attention" (Anderson 1990:82). Agenda building is therefore a competitive process and a number of factors determine whether an issue gets on an agenda. Cobb and Elder (1983) distinguish between a systemic or public agenda and an institutional or formal agenda. The two Authors consider a systemic agenda as consisting of all issues that are commonly perceived by members of the political community as meriting public attention and as involving matters within the legitimate jurisdiction of existing government authority. This is normally a society's agenda for the discussion of public problems. However, due to a number of reasons, - lack of time, resources, interest, information and lack of will among officials, - only small portions of the problems on the systemic agenda are considered by government to warrant serious attention.

Agenda setting is followed by formulation of policy proposals, which involves the development of a pertinent and acceptable proposed course of action (Anderson 1990; Howlett and Ramesh 1995; Parsons 1995). Although policy makers agree on existence of a problem, they may not share the same understanding of its causes and repercussions. Therefore, searching for a proposed course of action or solution to a problem will encounter a variety of pressures and contestation. The whole process from agenda setting to policy formulation and the choice of policy options is not orderly but a complex and messy exercise where issues and proposed policy options are included or excluded (Jones 1984; Majone 1989).

2.5.1 *Inclusion and exclusion of Issues in Agenda Setting and the Policy Formulation Process*

Studies view both agenda setting and policy formulation as activities in which issues are included and excluded and bias is mobilised to ensure that conflict is managed and contained (Cobb & Elder 1983; Ham & Hill 1984; Howlett and Ramesh 1995). Cobb &

Elder (1983) show how the interests of those who have a dominant position and power in a policy field are motivated to ensure that the issue is confined within few groups/areas, and also how an issue may be expanded if it is to impact on a decision making process. Schattschneider wrote:

> All forms of political organisations have a bias in favour of the exploitation of some kinds of conflict and the suppression of others because organisation is the mobilisation of bias. Some issues are organised into politics while others are organised out. There is no more certain way to destroy the meaning of politics than to treat all issues as if they were free and equal. The inequality of issues simplifies the interpretation of politics. Politics becomes meaningful when we establish our priorities (Schattschneider 1960:71).

Consequently Parsons confirmed:

> Policy holders operate on the strategy that issues need to be privatised and confined within tight parameters while those who are challenging dominant policies will engage in socialising and politicising the issue, from expert to public and from a private arena to a public arena. Winners seek conflict reduction, losers conflict expansion. Agenda setting in this sense is therefore to do with the management of conflict, and institutions and organisations have a central role (Parsons 1995:130).

2.5.2   *Power, Decision Making and Participation in the Policy Formulation Process*

Dahl showed how power dominates where there is a difference in preference of issues between actors/elites. He indicated that actors whose preferences prevail in conflicts over key political issues are those who exercise power in a political system (Ham & Hill 1984:62). However, Bachrach and Baratz showed that Dahl presented only one face of power as the other side of it operates through the process of non-decision making to suppress conflicts and to prevent them from entering the political process (Bachrach & Baratz 1970:4). Non-decision making is a means by which "demands for change in the existing allocation of benefits and privileges in the community can be suffocated before they are even voiced; or kept covert; or killed to gain access to the relevant decision making arena; or failing all these things, maimed or destroyed in the decision implementing stage of the policy process" (Bachrach & Baratz 1970:7).

Non-decision making can take different forms (Ham & Hill 1984; Saggar 1991; Parsons 1995; Bachrach & Baratz 1970): first, force can be used to block demands from entering the political process; second, some groups can be co-opted into decision-making procedures to deter the emergence of certain issues; third, rules and procedures can be introduced to postpone unwelcome challenges. Some issues could be referred to commissions or committees for detailed study with the intention of delaying or finding reasons for keeping them out; and fourth, existing rules and procedures may be shaped as a way of blocking challenges.

A study done by Bachrach and Baratz on examination of poverty, race and politics in Baltimore showed how "demands of black people in the city were excluded from the decision making processes by politicians and business leaders through various means including force, sanctions, co-option, manipulation of symbols such as labeling of certain views as emanating from 'troublemakers' and 'communists' and strengthening the 'mobilization bias' by new barriers or symbols" (Bachrach & Baratz 1970:126).

The above findings reveal how power can determine the capacity to command action or inaction. The existence of this power poses a major challenge to pluralist conviction that policy-making process is open for everyone (Parsons 1995; John 1999).

There are number of issues to be considered when we examine power, decision making and participation in the policy in South Africa. Although the policy process in South Africa has entailed extensive consultation and participation, there have been some limitations. Jansen (2001:208) observes:

- Despite the fact that groups are invited to participate, their views do not prevail.
- Where participation in initial debates has been broad, the policies adopted might not have been widely discussed and criticised.
- Participating groups have unequal power and expertise leading to different emphasis and outcomes.
- At times participation takes place after the policy framework has been decided.

The above limitations affect the type of policies developed; the type of groups, constituencies and stakeholders who are able to participate in the process, and whose views and ideas are taken. It also affects the implementation of the policies.

Consequently, in South Africa, given the stakeholder representation in the policy making process, many people initially assumed that there were no conflicting interests in establishing policies once consensus has been reached. This is to a great extent true because, in their eagerness to overcome the legacy of apartheid, coupled with public enthusiasm to enhance transformation, people supported policies without putting up much challenge (Motala 1999; Nicolaou 2001; Vally 2001). However, now that the situation of different disadvantaged groups has not changed at the pace anticipated, it is evident that some of the policies have not met the goals of redress and equity. As a result, pressure groups and organisations have formed to press for change, gradually leading to policy learning where some of the policies are being reviewed (Motala 2003; Dielties and Motimele 2003).

2.5.3   Language and Public Policy

Critical approaches direct attention to argumentation, language and discourse and how they shape the way we make sense of the world and understand policy (Foucault 1984; Bobrow & Dryzek 1987; Edelman 1988; Fisher & Forester 1993). According to the approaches, analysis of the policy process involves exploring the way in which policy discourse comes to frame the arguments that form the frameworks within which problems and agendas are constructed. The assumption here is that the language we use to talk about policy and policy problems is not neutral. Therefore, one is able to understand how a problem has been defined by analysing the way in which its discourse has been framed (Edelman1988; Hoppe 1993).

On the same issue, Eldeman (1988) has analysed the use of language by politicians and bureaucrats as involving the manufacture and manipulations of symbols as a remedy for public concern. He examined the symbolic content of policy and politics and the way in which policy makers are involved in exploiting symbols and language. He stated:

Symbols may be either referential, that is they may refer to something that is tangible and be related to real rewards and resources. However, given that referential symbols are a limited commodity, policy makers are more likely to be engaged in the production of condensational or emotional symbols, which reassure and give an illusion of concern or a solution. This capacity to structure complex problems in ways and words that suit policy makers distorts the perceptions of citizens. Problems are constructed in order to justify solutions rather that solve problems (Edelman 1988:20-21).

Edelman who identifies the use of media and the relationship between leaders and their audience confirms the above statement. Problems are defined in a process whereby politicians and the media manipulate meaning and symbols in order to facilitate close control over what is discussed and how it is discussed and what significance is attached to an issue (Edelman 1977). Hence, an ordinary citizen does not face a world of facts but that of political fictions. How problems and issues are presented means more than what is actually stated. Parsons stated:

The way in which a policy is expressed is central to understanding what is going on when issues, problems and policies are defined. Language is a key element in the making of a problem and the defining of solutions. How policy is framed is very important to the capacity of the policy to adapt circumstances, accommodate demands and promote the compliance of the public. Hence, although a policy succeeds as a political device, it may actually fail to address or ameliorate the problem except in the terms defined by policy makers (Parsons 1995:181).

In South Africa the textual language of all education policies put emphasis on goals of equity, redress, participation, democracy etc. However, contradictions emerge because the market element in those policies impacts on redress, equity and participation (Sayed 2001; Motala 2001; Greenstein 1997). Other, policies like Curriculum 2005 are packaged in radical language with elements of People's Education while in fact they lean more towards neo liberal strategies (Sedunary 1996; Centre for Education and Policy Development 2000).

2.5.4   *The Role of Professionals and Think Tanks*

Post-structuralists/post-modernists and some critical theorists, among them Foucault and

Habermas, have examined politics of knowledge/ideas and the role of experts and professionals in the policy process (Parsons 1995). They have also examined the role of 'think tanks' in the same process. Professional groups are seen as creators and proponents of bodies of knowledge that play important roles in shaping social policy and institutions of everyday life (Majone 1996). Hence professionals and their knowledge have power. "Knowledge becomes power and the professional stands as the human link between the two" (Friedson 1986:9). In the construction of problems those who have knowledge on certain issues have the opportunity and play a major part in providing input in the definitional process. Therefore, professionals have a key role in the production and dissemination of knowledge and in the interpretation and implementation of policy at 'street level' (Weimer &Vining 1992).

'Think tanks' and research bodies have emerged to influence policy agenda through publication of research and policy advocacy (Weiss 1992). Howlett and Ramesh (1995:58) define think tanks as "independent organisations engaged in multi-disciplinary research intended to influence public policy". Think tanks vary from those that are small and highly political; to ones that are large and well funded; and those that are large, well funded and political. Their research is mostly directed at proposing practical solutions to public problems and coming up with findings or evidence that support the ideology driven positions they advocate. Weiss (1992:118) identifies four factors which led to think tanks/ policy analysis organisations as "political fragmentation and desegregation, the complexity of social problems and the declining influence of the civil service". Although Weiss was referring to the United States of America, she stated that these factors apply in varying degrees to other political systems. According to her analysis, think tanks fill "a gap which growing knowledge; growing complexity and increased pluralism create" (Weiss 1992:120).

Critics have highlighted the dangers of increased growth of think tanks/policy analysis organisations (Fisher 1991; Bobrow & Dryzek 1987). They argue that with the emergence of think tanks, knowledge can be effectively presented as policy argument, and in an open society, knowledge clashes constitute a democratic way of proceeding.

However, this assumption poses a problem since those without power and resources may not have access to analysis. This brings back some arguments advanced in our previous discussions, namely that analysis can distort or manipulate debate. In order for participation in the policy process to be effective, it has to focus on the way policy analysis "can level up rather than increase inequality of influence" (Fisher 1991:104). According to Bobrow & Dryzek:

> Large corporations, government bureaucracies, national interest groups, and professional associations are highly organised and have the resources to hire skilled and persuasive advocates. Community organisations, small businesses, and the poor typically come off worse even in a forum of formal equality of access (such as a legislative hearing, court case, project review, public hearing, or special commission) (Bobrow & Dryzek 1987:177).

Lack of policy analysis outside interest groups and organisations that can afford it reduces severely the capacity of citizens to participate in formulating agendas and constructing problems. Think tanks/policy analysis organisations are not neutral and their analytical arguments may advance/advocate particular class and business interests or certain values and beliefs.

Think tanks established by different groups, political parties, and professionals from different affiliations and establishments, played a very influential role in identifying the transformation agenda and policies in the education sector in South Africa before the 1994 elections. After 1994 a different picture emerged with the government playing a major role with selected groups and networks participating (de Clercq 1998; Soudien 1999; Jansen 2001; Lungu 2001).

2.6   Policy Implementation

The policy making process does not come to an end after its adoption stage or when policy has been approved. Implementation is another very important means where policies are formulated as they are implemented (Parsons 1995). According to Anderson (1990), it is difficult to differentiate neatly the adoption of policy from its implementation just as it is also difficult to demarcate policy formulation and adoption. Yet, in many

cases, the political system has been examined by treating policy and administration separately. This fails to recognize that the content of policy and its impact on those affected may be substantially modified, elaborated or even negated during the implementation stage. In some instances, legislation does not do much more than authorise an agency, or the executive, to make policy on some matter (Howlett and Ramesh 1995). In many cases administrative agencies operate under broad and ambiguous statutory mandates which give them a lot of discretion to decide what should or should not be done. In effect such statutory mandates direct agencies involved to make policy (Anderson 1990; Rockman 1997). In many cases those who participate in legislative process are not able to agree or reach settlement on some of the issues. They are left to administrative agencies that make decisions on how to interpret and implement them.

A number of actors/institutions also exert influence on the process. Legislatures use different strategies to influence the implementation process (Parsons 1995; Roberts 1994). Among them is specificity of legislation. The more detailed the legislation passed by legislature, the less the discretion the administrative agencies will be able to exercise. Roberts (1994) provides some pertinent examples. Among them is placing limitations on the use of funds by including it in the statutes; specified deadlines for taking action on some of the acts; setting specific standards as in minimum wage legislation etc. At times the legislature has to endorse appointments of top executives. This can sometimes be used by the legislature as a means of influencing implementation by ensuring that their preferred candidate is appointed. Members of the legislature also exert influence on policy implementation as they perform oversight duties and handle problems that constituency and party members encounter with administrative agencies.

Courts exert influence on policy implementation through interpretation of legislation, statutes and regulations and review of administrative decisions in cases brought before them. Courts can facilitate, hinder or nullify the implementation of policies through their decisions (Anderson 1990; Weimer and Vinning 1992). Some of the decisions can either favour selected interests or reverse decisions of government for the benefit of

disadvantaged groups. In South Africa, the courts have reversed decisions on implementation of a number of public policies. Among such policies are teacher redeployment and rationalisation and provision of anti-retroviral therapy for people living with HIV and AIDS.

Groups and policy networks also exert influence on policy implementation (Rhodes and Marsh 1992; Marin and Mayntz 1992; Peters and Wright 1996). Given that administrative agencies can use discretion in the implementation of policies, groups and networks are able to influence agency action which may have substantial effect on the course and impact of public policies. Other actors that exert influence on the implementation process include political party officials; media who may report, publicise or criticise agency actions; and executive staff agencies (Anderson 1990). It is evident that a variety of participants or institutions with varied interests, power and values may become involved in the administration and implementation of a given policy.

2.6.1   Models of Policy Implementation

2.6.1.1 <u>Top Down Rational Model</u>

Different models on policy implementation have emerged to explain the policy implementation process. Among the initial ones, is the rational "top-down" model, which puts more emphasis on control and compliance (Hood 1976; Gunn 1978; Sabatier & Mazmanian 1979). According to the model, successful implementation of a policy depends on:

- Clearly defined and understood goals;
- Readily available resources;
- A chain of command which is capable of assembling and controlling resources;
- A system that is able to communicate effectively and control the individuals and organisations involved in the performance of tasks.

Ham and Hill (1984) showed how Wildavsky and Pressman used the top-down model to examine ways in which policy transmission occurs or fails to occur through multi-

government systems. The two authors argued that "if action depends upon a number of links in an implementation chain, then the degree of cooperation between agencies required to make those links has to be very close to a hundred per cent if a situation is not to occur in which a number of small deficits cumulatively create a large shortfall" (Ham & Hill 1984:97). The cumulative deficit in implementation occurs if cooperation in implementation is non-existence. Other advocates of the top-down model have shown how policies have succeeded in implementation because of clarity of their mandates and availability of resources (Sabatier & Mazmanian 1979). They have also identified clarity and consistency in the communication of policy as another important factor for successful implementation (Hood 1976; Nixon 1980). The above advocates show that clear communication and clarity of the mandate mean that there is no ambiguity and compromise at the policy making stage and this results in smooth implementation.

A number of criticisms have been levelled against the top-down model. Since the policy process and policies are such a complex phenomena, implementation is equally complex and it cannot be taken as merely a technical aspect and a straightforward process as advocated by adherents of this top down model. As mentioned above, it is difficult to determine where policy-making stops and implementation begins since the policy-making process continues even during the implementation phase (Anderson 1990; Majone 1996). Hence policy making in this case may involve "continuing flexibility; it may also involve the concretisation of policy in action or into a process of movement back and forth between policy and action" (Ham & Hill 1984:106). Hence, because of these factors, implementation is seen as a policy/action continuum in which interactive and negotiation process takes place between those seeking to put policy into effect and those upon whom action depends (Linder and Peters 1987). This shows that the top-down model is not adequate to explain policy implementation. Hence, the development of a bottom-up ('backward mapping') model to study/explain policy implementation.

2.6.1.2 Bottom-up or Backward Mapping

Elmore defines 'backward mapping' as:

> 'backward reasoning' from the individual and organizational choices that are the hub of the problem to which policy is addressed, to the rules, procedures and structures that have the closest proximity to those choices, to the policy instruments available to affect those things, and hence to feasible policy objectives (Elmore 1985:3).

The bottom-up model sees the relationship of policy makers to policy deliverers as being very crucial. According to Parsons:

> The bottom-up model is one which sees the process as involving negotiation and consensus building. These involve two contexts or environments: the management skills and cultures of the organizations involved in implementing public policy (schools, hospitals, police forces, welfare agencies, armed forces, government departments), and the political environment in which they have to work (Parsons 1995:469).

In this model professionals or 'street level' implementers use their own discretion on how they would apply a policy since they have opportunities and responsibilities of controlling and delivering services (Lipsky 1976). Implementers are likely to make varied interpretations because policies, regulations and laws have interpretive aspects. Therefore policies may not always yield the expected outcomes (Davis 1991). Younis (1990) gives an example of a study done by Webb and Wistow who looked at personal social services policy. The study found that there was an implementation deficit because local authorities chose to disregard central guidelines of cutting expenditure on services and preserved social services expenditure, while effecting a cut on other services. O'Brien & Li (1999) cited cases where policies were selectively implemented in rural China despite the fact that the centre exerted a lot of pressure on grass-roots officials. Although they acknowledged the fact that implementation tended to be poor "when policy directives were vague; when there was serious division over policy among the central elite; and when the programme ran counter to bureaucratic interests"; they discovered other reasons (p.173). Firstly they realised that with decentralisation officials at each level gained full authority to appoint their subordinates and this has affected adversely the implementation

of some policies. They stated:

> Rural cadres may obey a directive from their bosses one rung up, even if they know it conflicts with a measure promoted by higher levels. For instance when confronting a villager who cited a central policy on rejecting illegal fees, a village cadre asked if he listened to his grandfather (the central leadership) or his father (local officials). When the man replied that he paid attention to both, the cadre insisted on collecting the fee. "Very good! Now grandfather has given his orders (that is, the centre has banned the fee), but father has not made his position known (that is, local officials have not revoked it). We depend on father for a living, so we must carry out his order (and collect the fee)" (O'Brien & Li 1999:171).

It was also found out that policies whose implementation targets and output were quantifiable were implemented better than those whose output could not be measured or quantified. This was attributed to incentives and rewards being provided when targets were met and could be seen. Hence more emphasis was put on implementing selective policies whose output could be measured, while others whose output could not easily be quantified were neglected (O'Brien & Li 1999).

Due to the factors the policy formulation process may be skewed by policy implementation that is dominated by professionals (Dunleavy 1982). For example, district agricultural officers might adopt their own way of implementing a policy on new methods of farming and soil conservation that might lead to different outcomes from those set out in the policy. In this way, 'street level' implementers also shape policy and its implementation can be enhanced by their experience and knowledge (Lipsky 1976). Majone and Wildavsky (1978) have argued that policy does not happen at the front part of the policy process but evolves and unfolds over time. The front part produces potentialities and principles that change and adapt in practice. They contend that "implementation is evolutionary as it will inevitably reformulate as well as carry out policy" (Majone and Wildavsky 1978:116).

Exercising discretion brings about problems associated with differences in interpretation and application of policy to specific circumstances. From and Stava (1993) give the example of the European Union where there are considerable variations in the

implementation of European Union directives and regulations by member countries. Although the South African Development Community (SADC) has not achieved the same degree of integration compared to the European Union some of the policies such as those concerning environment, transport, trade, agriculture and others are formulated by the group of countries in the community. Implementation of those policies has always varied because of a number of reasons, among them resources, facilities, political environment and different interpretations by implementers (Institute for African Alternatives 1993). In South Africa there are variations in policy implementation among the nine provinces and even within a province (for example between different public schools).

O'Brien and Li (1999) observe that both approaches, that is, the top down rational model and bottom up or backward mapping explain much about how bureaucracy functions in policy implementation. However, there is a feeling that neither approach alone is well suited to explain why an implementer who is responsible for a range of policies executes some well and others poorly. Studies have advocated the need to combine the top down emphasis on central control with the bottom up emphasis on street level discretion (Sabatier 1986; Hull and Hjern 1982; Matland 1995; O'Brien and Li 1999). O'Brien and Li note:

> This mixed strategy encourages us to consider all the incentives grass roots official faces, both those that emerge from the day to day environment and those structured into the situation from on high. Drawing on both approaches, we can see why street level bureaucrats are sometimes "principled agents" and sometimes wily defiers of the wishes of their superiors (O'Brien and Li 1999:168).

Another factor is that policies are an outcome of negotiation and compromise. As outlined by Barret and Hill (1981:89) it means:
- Many policies represent compromises between conflicting values.
- Many policies involve compromises with key interests within the implementation structure.
- Many policies involve compromises with key interests upon whom implementation will have an impact.
- Many policies are framed without attention being given to the way in which underlying forces

(particularly economic ones) will undermine them.

Evidently, this would have implications in their implementation. Those policies, which have the support of implementers, would receive more attention, while those that are not favourable to them are likely to remain symbolic. Inaction could also occur in places where there is a division between levels of government where policies may require parliamentary enactment and thereafter implemented by provincial or local government. Although laws may be passed by parliament, resources for implementation may not be available and therefore the required policies may not be implemented and may remain symbolic. This has happened in some of the provinces in South Africa where provinces failed to implement education policies because of lack of adequate funding. These aspects are discussed in Chapter IV and V.

It is evident that no individual model on its own can be adopted to explain policy implementation. Therefore, this study has adopted elements from all the above models to explain policy implementation processes in education. This has been done by:

- Analysing arrangements of structures and institutions that have been charged with education policy implementation that have been put in place at the national, provincial and local (school) levels. It also entailed assessing their powers, functions and responsibilities.
- Analysing the performance and functioning of structures and institutions at different levels.
- Examining implementing agents, among them senior management, both new and old members of the bureaucracy who were absorbed in the new government. It also entailed assessing the functioning and performance of different programmes and activities. This included examining various sources of funding and their allocation.
- Analysing coordination of activities among different levels and monitoring processes.

The above aspects were examined and assessed within the framework of new managerialism and policy delivery systems which has been adopted by most developing

countries. They have also been adopted by the new South African government as it restructured the bureaucracy and reorganised its structures in the education sector after 1994 elections. The following sections present different types of policy delivery systems and outline major aspects of the new managerialism that were adopted.

2.6.2   Policy Delivery Systems

Policy delivery systems have become very complex and fragmented. Public goods and services are now being delivered through a network of diverse types of institutions and instruments. This means that the functions are allocated to special purpose authorities and institutions. Rhodes (1994) has outlined the implications of fragmentation as creation of conflict between different agencies competing for 'turf' and between central and local governments which resent to be bypassed and overlooked. "Such fragmentation does not only thwart proper control and encourage policy slippage or deviancy from central expectations but it also increases governmental complexity" (Rhodes 1995:330).

The most common types of delivery systems are governmental and sectoral mixes (Batley and Stoker 1991; Massey 1993; Butcher et. al. 1993; Burns et. al. 1994; Parsons 1995; Peters and Wright 1996; Rockman 1997).

2.6.2.1 The Governmental Mix

Responsibility of delivery of public goods and services in governmental mix is taken by different levels of government. Parsons (1995) identifies the levels as national, regional/state, local and neighbourhood. The main emphasis in such cases has been decentralisation of functions. Decentralisation may be viewed as an attempt to download control to more build-in, self-regulatory delivery systems (Kickert 1993; Farazmand 1997). Peters and Wright (1996) observe that as a move towards decentralisation, central governments have permitted sub-national governments to make allocative decisions about who will get what from the public sector. The move also includes empowerment of employees of government in lower echelons to acquire more power and control over their own jobs in order to increase the satisfaction of clients. They have been given greater latitude to make decisions and then become accountable for those decisions (Kernaghan

1992). The division of responsibility of policy delivery to different levels means administrative and financial arrangements, including powers granted to different levels, are determined by political and constitutional traditions.

In their study conducted in OECD in 1991, Batley and Stoker observed that an important trend in governmental mix was neighbourhood and community decentralisation which started in the 1980s and continued in the 1990s (Batley and Stoker 1991). Some local authorities developed multi-service neighbourhood offices to manage services and forums or committees which provided for local participation, access and accountability. Such practices have led to a move from centralised bureaucratic structures towards local management networks which are closer to citizens. The emphasis or shift of delivery to lower levels has to be viewed in the context of post-Fordism where Weberian/Taylorist hierarchy is giving way to less bureaucratic, flatter, more fragmented structures where public sector organisations are run the same way as business organisations (Burns et. al. 1994). Emphasis has also been put on accountability where government bureaucrats are not only accountable to their political heads (who assume in principle responsibility for policies carried out in their departments); but also downward to the customers of public services. For example "the naming of public officials under the introduction of publicised quality and performance indicators have emphasised dominancy of political accountability" (Day and Klein 1989:121).

Moreover there have also been changes in established procedures. Departments set indicators and civil servants are remunerated according to performance. The performance of individual public servants is now being assessed and differential pay (whether in the form of bonuses or increase in base pay) is being granted to better performers (Ingraham 1993). Internal organisation reforms inspired by the private sector have been combined with attempts to transform the recruitment patterns by employing people from the private sector on short term contracts. Senior managers are employed on contract and assessment of their positions is based on performance (Linder and Peters 1989). In South Africa, governmental mix is among the strategies of policy delivery in education. Delivery of education policy is shared among three levels, namely, national, provincial and district

levels. Provinces have decentralised power to districts and schools to enable them to make decisions and exercise more control of their work. The results of policy delivery by governmental mix have encountered a number of difficulties which are discussed in Chapters IV and V.

2.6.2.2 The Sectoral Mix

In the sectoral mix services may comprise a mix between public and private responsibility and also between the voluntary sector and community agencies that may have a role in service delivery. It provides a mode of delivery which overcomes the problem of which a particular level of government should be responsible. In the sectoral mix we have public-private partnerships, the voluntary sector and the community.

2.6.2.3 Public-Private Partnerships

Kouwenhoven (1993) identify a number of policy areas where public-private partnerships have been established; namely, infrastructure developments, urban renewal, regional development, education and training and environment issues. One of the advantages that governments obtain from public-private partnerships is securing private sector finance and management expertise. On the other hand, the private sector benefits from finance, infrastructure, good environment and other amenities which enable it to function smoothly and increase their profits. According to Parsons (1995:490) "public-private partnerships have been viewed by many people ways of avoiding problems of top-down implementation in public policy".

However, public-private partnerships have not always met the anticipated expectations (Massey 1993; Parsons 1995). Despite the above limitations there are areas in which the extension and development of partnerships will continue to grow. Massey (1993) identifies big projects for which partnerships are the only means in which problems such as urban regeneration can be addressed and opportunities such as hosting of soccer world cup, Olympic Games and other big social events may be secured. In case of small scale projects "the use of partnerships in local government offer possibilities of securing additional funds and expertise from the private sector which stand to gain in profits as

well as the public relations that results from the acceptance of social responsibilities and an ethical approach to business" (Parsons 1995:499).

2.6.2.4   The Voluntary Sector

Historically, the voluntary sector has been involved in welfare provision and other activities intended to uplift and empower the poor and needy (Butler and Wilson 1990; Osborne and Gaebler 1992; Parsons 1995). In most cases religious organisations have established charitable institutions which have been among the major providers of social services as well as education. With the emergence of the welfare state and mass education, the voluntary sector was rendered less necessary. But in recent years, there have been a decrease in the role of the state providing directly a range of social and welfare services. Hence, the role of the voluntary sector in service delivery is increasingly becoming crucial (Peters and Wright 1996; Rockman 1997). Voluntary organisations employ people on a permanent basis. They also have to make money and run on a sound financial basis (Osborne and Gaebler 1992:44).

In many cases the voluntary sector enters into partnerships with public and private sectors in delivering services. Private sector finance may support activities of voluntary groups in association with the government. Alternatively, the government may choose to deliver via the voluntary sector and fund through grants or there may be a network of funding and support which facilitates an exchange of finance, expertise and commitment (Butler and Wilson 1990). Public agencies have become dependent on the voluntary sector to deliver services which they find either difficult to provide or lack resources to provide those services that have been traditionally provided by the voluntary sector. Contracting out or outsourcing to NGOs and individual consultants often through tendering process has been among the common strategies of partnerships in policy delivery. Contracting out is said to enhance cost efficiency and the agents are appraised on this basis (Pampallis 2004; Rockman 1997; Lindblom and Woodhouse 1993). Outsourcing has been a common practice in education in South Africa particularly in the provinces and districts where there is lack of capacity. While this has been a very useful practice in policy delivery, there have been a number of challenges which are identified in Chapters IV and V.

2.6.2.5 <u>The Community</u>

The community is another component of sectoral delivery mix. Since 1980s community based public policy strategies have been prominent in approaches to local policy making and implementation. Glen (1993:217) defines community as "groups who share a location or physical space or who have common interests, traits or characteristics". He sees community policy as being "territorial or non-territorial and may be directed at a neighbourhood or a part of a town, or it may be directed at a group of people who share a problem or an interest" (p.220). He identifies forms of community policy as: community development which is intended to empower community to help itself with the aim of promoting bottom–up approach where people are involved in defining their needs and goals; community service that is geared at improving the relationship between the outputs of service providers and clients. This is intended to make services more responsive to community's needs and increase their involvement in the way in which services are delivered. Community action is directed at problems of power and mobilisation of interests. It is intended to campaign for policies and interests of those that are marginalised and excluded from the political agenda.

The community aspect of policy delivery adds to the network and inter-organisational nature of a mix which may be found in a policy sector. It also challenges the power, autonomy or dominancy of professionals in their relationship with the service users/clients as more active partners. Establishment of governing bodies in schools in South Africa is one example of involving community in policy delivery. Governing bodies are responsible for governance, formulation of school policies and the overall implementation in public schools. This aspect is discussed further in Chapters IV and V.

From the above discussion, it is evident that approaches to the policy process have become very complex with emerging demands, new issues and problems of various dimensions. These are advanced by actors, groups and networks and other webs of influence with different goals, values, aspirations, interests, powers and resources. They use a variety of strategies, tactics, and methods to influence decision making, policy content and implementation. Therefore, in all its stages, the policy process is beset with

continuous debate, contestation and struggle for the success of ideas and interests which are pursued by individual actors, groups and policy networks through the institutions. Therefore, an examination and analysis of the process has to take the above factors into consideration.

It is evident from the above analysis that the process cannot be explained by using only one approach. This study has been situated in ideas, group and networks and institutional approaches to examine the factors that have affected education policies, their formulation and implementation and the overall transformation of education in South Africa. It contends that policy change and variation result from interaction of ideas and interests within patterns of group and policy networks and preset institutions.

PART II

Methodology

2.7   Objectives of Policy Research

Dale (1986) identifies three purposes of policy research, namely, the social administration project; the policy analysis project; and the social science project. The social administration project was dominant from the 1940s to 1970s. Its purpose was to use research to improve administrative practices of the welfare state. It focused mainly on the national system as provided by the welfare state rather than international comparative approaches (Taylor-Gooby et. al.1981). Such concentration made the field "become rather parochial, together with a preference for 'top down' interventions in policy and an emphasis on the collection of empirical data: put crudely, facts rather than theories" (Ozga 2000:39). In the social administration project, research is carried out in order to improve the client's welfare and therefore researchers define a client's need. In this regard accumulation and testing of core knowledge and the development of fundamental theory take a second place to the above concern (Mishra 1997).

The policy analysis project became prominent between the 1970s and 1990s (Ozga 2000). The main concern of researchers working in this area is to find ways of ensuring effective and efficient delivery of social policies irrespective of their content. Such a focus shows the technicist character of policy analysis and its preoccupation with outcomes (Dale 1986). Policy analysts see policy as the function and preserve of government. The emphasis is to find out what governments do, why they do it and what difference it makes (Ham and Hill 1984). Hence policy analyst seeks to meet clients' needs, to define and clarify their problem, to identify options and assess their effectiveness, the likely obstacle to their implementation and their fitness for purpose. The policy analyst works within the same framework of action as the policy maker and is concerned with strategic issues (Dale 1986).

For the social science project, the problem is defined by the nature of existing theory and the orientation is towards improving it, namely, having a better understanding of how things work. According to Ozga:

> The orientation of the social science project is towards the academic discipline, rather than towards the need of a client or customer, and the rules of the discipline, and its principles of enquiry, guide research practice, rather than a framework of strategic planning requirements and possibilities. Accountability is to the research community, rather than to the customer or sponsor (Ozga 2000:41).

However, the fact that the focus of the social science project is inclined more towards academic discipline does not mean that researchers have disengaged from practice. Researchers working within the area may also focus on improving practitioners' understanding of the nature of the problems they encounter in their daily activities by making them understand better the social world. Others may seek to influence policy makers as a secondary feature of their work, by adding to the availability of knowledge within the community.

The above projects are distinguished from one another by their purposes. The latter also reflect different values. This study looks at transformation in the education sector by examining the type of policies that have been put in place, the processes for their formulation and implementation. Given that policy development and implementation involve negotiation, contestation and a struggle between competing groups, the processes will be examined to find out who are the beneficiaries and who have been marginalized or excluded in the process. This would present a broader picture/world that would explain how things come to happen as they do and how they ought to be. In this case, the study will use the social science project to examine and explain the situation.

2.8   Methods of Study and Research Design

The study adopts an interpretive qualitative methodology to examine transformation in the education sector, namely; the type of policies formulated, the policy development and implementation processes and their outcomes. Interpretive qualitative methodology

entails getting close to research subjects in their natural setting in order to describe and understand the world through their eyes. It focuses on the process rather than outcome; the actor's perspective is emphasised; and its primary aim is in-depth description and understanding of actions and events (Babbie and Mouton 2004; Valadez and Bamberger 1994; Guba 1990; Miles and Huberman 1984). According to Valadez and Bamberger:

> Qualitative methods can also be justified on ethical grounds. Because many programmes produce major changes in the lives of the population (not all of which are positive), planners have a moral obligation to understand how people feel about these programmes and how they affect them. Not to try to understand the point of view of a community resident (who will perhaps suffer if the project does not go as expected) is tantamount to ignoring democratic principles of social participation. Although quantitative methods can describe some of the behavioural changes that occur, they usually cannot reveal how people feel about these changes. Direct face to face contact with the affected population may often be the best way to find out (Valadez and Bamberger 1994:331).

By using interpretive qualitative methodology the study seeks to expose the different views and perceptions of the transformation process in the education sector of all the people and groups that have been included in the research, namely policy makers and implementers (members of national and provincial legislatures, officials from the national and provincial Departments of Education, representatives from political parties, teachers, representatives from NGOs, CBOs, FBOs and so forth); those from formerly disadvantaged communities who are the intended beneficiaries of the transformation process in education; and those from formerly advantaged communities most of whom were beneficiaries of the policies of the former regime.

Respondents would be able to look back at the effects that the oppressive and discriminatory education policies of the apartheid era have had on them and on the education system. They would then make a comparison in terms of the strides taken since 1994 by the new government in the long journey to redress the effects of past oppressive and discriminatory education policies and programmes. The use of interpretive qualitative methodology in this study enables the researcher to: examine and expose the effects of education policies on the ground; examine how and where policies increase

inequality and impact unfairly on particular groups; and provide opportunity to explore how injustices and inequalities are produced, reproduced and sustained; and be in a position to understand how such processes may be challenged or addressed.

2.8.1   Data Collection

The adoption of interpretive qualitative methodology in this study entailed using different kinds of data collection methods to gather information; namely, through analysis of documents and reports, unstructured interviews, focus group discussions, and observations.

Observation enables a researcher to probe deeply and to analyse intensively a specific case. With observation a researcher is able to discern ongoing behaviour as it occurs and is able to make appropriate notes about its important features. There are two types of observation, namely, participant and non-participant observation. In the former, the observer engages in the very activities he/she sets out to observe. Often the observer cover up is so complete that as far as the other participants are concerned, the researcher is simply one of the group members. A non-participant observer stays out of the group activity under investigation and does not become a member of the group. In observation, it is important to know precisely what should be observed. What should be looked for in observation can be formulated, that is, the content can be specified. This is structured observation. However, what should be observed or aspects of the content may not be specified beforehand. This is unstructured observation.

Interviewing is a mode of communication between two individuals or an individual and a group. Interview may be helpful where information about people's knowledge, values, preferences and beliefs are being sought. Some interviews can be semi-structured in that the interviewer will either have a written or mental note of questions to be raised during the interview but the order and the precise wording of the questions will not be predetermined. A semi-structured interview schedule allows participants to express themselves at some length but within a structure that prevents them from going off track. Other interviews can be in-depth or non-directive. In this type of interview, minimal

direction or control is exhibited and the interviewees are given freedom to express their feelings as fully and as spontaneously as they choose or are able to do.

Information obtained from documentary sources enables researchers to structure research problems and pose relevant questions for their studies. It is also used to complement and strengthen data obtained through other methods, namely observation and interviews. Documents fall into several sets of categories. The first set depends on how official or public the documents are. Official or public documents are those produced by governments for their own purposes. Such documents are also produced by non-governmental institutions like churches, voluntary associations, international organisations, academic institutions etc. There are also private or unofficial documents produced by individuals, independent research workers, journalists etc. The second set of categories depends on whether the documents are primary or secondary. Primary documents are those which are produced in the course of the routine activities of a social organisation or in the daily lives of individuals, for example, notes, diaries, agendas etc. Secondary sources include documents such as books, articles, census reports, development plans and so forth.

 The use of several methods of data collection or triangulation enables the researcher to explain more fully the richness and complexity of the policy process by examining it from more than one standpoint and, in so doing, achieve a measure of validity and reliability. Cohen and Manion outline advantages of the multi method approach or triangulation:

> It has been observed that as research methods act as filters through which the environment is selectively experienced, they are never a theoretical or neutral in representing the world of experience. Exclusive reliance on one method, therefore, may bias or distort the researcher's picture of the particular slice of reality he/she is investigating. He/she needs to be confident that the data generated are not simply artifacts of one specific method of collection. And this confidence can only be achieved as far as normative research is concerned when different methods of data collection yield substantially the same results. Further, the more the methods contrast with each other, the greater the researcher's confidence. If, for example, the outcomes of a questionnaire survey correspond to those of an observational study of the same phenomena, the

more the researcher will be confident about the findings (Cohen & Manion 1980:208).

2.8.2 *Sample for the Study*

Respondents for the study were drawn from the following bodies, institutions and directorates: Parliament (National Assembly and NCOP); the Eastern Cape Provincial Legislature; National Department of Education; Eastern Cape Provincial Department of Education (Directorates of Human Resources Development, Finance, General Education and Training, Further Education and Training, Physical Resources and Planning, Curriculum Development, District Development; Education Labour Relations Council, the Office of the Superintendent General and districts). A directorate is the highest level in the organisational structure of the Eastern Cape Department of Education and is headed by a Chief Director. Since the time of data collection, the organisational structure and the names and numbers of directorates have changed slightly due to the restructuring of the Department. The number of people interviewed in each institution is shown in Table VI.

Table VI: Number of People interviewed in each Institution/Organisation

Institution/Organisation	Number of Respondents
National Assembly	3
NCOP	3 (1 permanent delegate; 2 special delegates)
Eastern Cape Provincial Legislature	4 (Drawn from the ANC, UDM, PAC and DA)
National Department of Education	2 (officials from the office of the Deputy Director General Policy Development)
Eastern Cape Provincial Department of Education	
- Directorate of Human Resources	2
- Curriculum Directorate	3
- Finance	2
- General Education and Training	2
- Further Education and Training	2
- Physical Resources and Planning	3
- Education Labour Relations Council	1
- District Development Directorate	1
- Senior Managers from Superintendent General's Office	3
- District Officials	15
- National Education Health and Allied Workers Union (NEHAWU)	2

Ten public schools from King William's Town and East London districts were included in the study. Among those schools, four were former model C schools; three township and three rural schools. Seven people were interviewed from each school. Stratified sampling technique was used to select the schools. This was done by listing the names of all former Model C schools in the district and township and rural schools separately.

They were put in three hats and four names were picked from those of former Model C schools and three each from township and rural schools. King William's Town and East London districts were chosen because they had all types of schools. They also had a large population in urban and rural areas. Ten representatives from NGOs, Community based organisations (CBOs), faith based organisations and teachers' organisations (SADTU, NAPTOSA and SAOU) were also included in the sample.

The evaluation of education policies entailed an in-depth analysis of documents and reports. Both official/public (primary and secondary) and private (primary and secondary) documents were consulted. Because the analysis of policies was based mostly on documentary sources, it was necessary to review a variety of documents from different sources. This was intended to enhance reliability of information obtained from different documents, as it enabled information from different sources to be compared and contrasted.

Among the official/public documents reviewed were those produced by the government for its own purposes, which include government gazettes; white and green papers and other government working papers produced by the Department of Education; commissioned research reports by the Department of Education; reports on Parliamentary proceedings; Department of Education annual reports; research reports and documents produced by "think tanks" affiliated to different political parties; and reports of political parties. Private documents consulted include journal articles, books, research reports by individuals and institutions/organisations, policy reviews and commentaries from newspapers and other independent sources.

Interviews were held with the following people:
- Selected governmental officials from the national Department of Education; members of the National Assembly; NCOP and Eastern Cape Provincial Legislature.
- Chief directors and one or two directors (in directorates where more than one person was interviewed) from directorates of Human Resource Development,

Curriculum Development, Physical Resources and Planning, Finance, General Education and Training, Further Education and Training, Education Labour Relations Council, District Development Council, Senior Managers from Superintendent General's Office and representatives from NEHAWU.

- Interviews were also held with civil servants who served in the apartheid government and were retained by the new government under the Sunset Clause.

An unstructured interview was used to allow respondents to express themselves freely since the intention was to obtain people's perceptions, beliefs and opinions about transformation in the education sector and the major challenges the process encountered. Participants were also able to give their views and opinions on new the policies that have been developed to transform the sector. They discussed the formulation process and provided views on groups and people who have been included or excluded in the process. They shared their experiences on the implementation of policies including the major achievements and challenges that were encountered in the process. The discussions were held once with each respondent and lasted for 60 to 90 minutes.

Unstructured interviews were also held with representatives from NGOs, faith based organisations, civil servants who served in the apartheid government and were taken by the new government under the Sunset Clause, community based organisations and teachers' unions. The aim was to find out the part they played in the process of setting policy agenda in the new dispensation and in the development of education policies. They also gave their views on the type of policies developed to transform the education sector. Since most of the above groups are also involved in policy implementation, they also shared their views on the process of implementation, including identifying the strengths, weaknesses and the overall progress achieved. Interview with each respondent was held once and took 60 minutes.

Focus group discussions were held with district officials, namely, district managers, education development officers and subject advisors from East London, King William's Town, Alice and Peddie districts. The discussions took place separately for each group

(district managers, subject advisors and education development officers). They identified factors which affected their work performance and discussed possible solutions to the problems. Respondents were also able to discuss and share their views and experiences on policies developed to transform the education sector, their formulation, implementation, achievements and the challenges encountered. Each of the three focus group discussion was held once and took 60 minutes.

Focus group discussions were also held with different groups of respondents from the ten schools; namely, twenty teachers, twenty learners and 30 members of school governing bodies including principles. Respondents gave their perceptions, views and opinions on the type of policies developed by the new government to transform the education sector and their understanding of those policies. The discussions concentrated mainly on the South African Schools Act and Curriculum 2005. The participants also shared their experiences on the formulation and implementation of the policies, the achievements made and major challenges encountered. Each focus group discussion took 50 minutes. They were held three times for each group because the respondents were many and had very limited time in each session.

A non-participant observation method (structured) was used to observe school governing body meetings in five of the schools (two former Model C, one rural and two township schools). The intention was to observe attendance in the meetings and how the school governing bodies perform; issues and decisions that are made; and members' participation in the sessions. The aim was to find out whether there is a clear understanding of roles and responsibilities of the respective members. Each school was observed once.

In the interviews and observations, hand written notes were taken and a tape recorder was used to record the interviews and discussions. The hand written notes from the interviews and observations were reviewed and written properly at the end of each day of field work. Recorded tapes were transcribed on completion of the field work. Gaps and questions which arose out of the notes were clarified, answered or filled by going back to the

respondents for further elaboration.

2.8.3   *Ethical Issues*

Efforts were made to maintain confidentiality since the researcher had to earn trust from different stakeholders who had to divulge information that was not supposed to be shared with people outside their organisations and institutions. Some schools required forms to be signed to assure them that what was observed would not be used against their institutions. Some of the respondents were given a draft of the findings to find out whether some of the issues presented reflected what was discussed. This is very important because as a researcher, I have my own values and convictions which are likely to affect the way I look at the transformation in the education sector and the policies that have been put in place, including their formulation and implementation. Therefore, it might also affect the way the data from different respondents is interpreted. Being able to discuss the draft of the findings with the respondents is also one of the ways of addressing the above limitation.

CHAPTER III

TRENDS IN EDUCATION AND POLICY INITIATIVES BEFORE THE 1994 ELECTIONS

PART I

Trends in Education in the pre 1994 Election Period

The aim of this section is to outline policies and the provision of education during the apartheid era, highlighting the magnitude of the problem in the sector that had to be addressed by the post apartheid government. It also shows strategies used by the apartheid government to effect changes in the education system so as to ensure that the status quo and the basic interests of its constituencies will not be threatened.

3.1   Education during the Apartheid era

3.1.1   *Inferior Education and Inadequate Funding*

The introduction of the policy of Bantu Education in 1953 by the apartheid state ensured that the vast majority of black people received inferior education. Hendrik F. Verwoerd, the architect of apartheid and Prime Minister of South Africa from 1958 until his assassination in 1966, stated that Africans were not going to "live an adult life under a policy of equal rights" and that there was no place for Africans "in the European community (South Africa) above the level of certain forms of labour" (Behr 1988:12). He emphasized that education for black groups had to be different from that of the white minority. Hence the introduction of Bantu Education was intended to relegate Africans to manual and low status jobs in the country. Verwoerd rejected the schooling structure established by missionaries on the ground that it produced the 'wrong type' of black people. Hence, education for the black people was taken away from missionaries and placed under the control of the state (Samuel 1990). Consequently, all educational

appointments, syllabi, examinations and school buildings were controlled by the state. The state education policy ensured that the majority of black children had some contact with Bantu Education.

This measure resulted in a massive increase in the number of black pupils in the lower primary and higher primary levels where most of them ended their schooling (Pillay 1990). The deliberate lack of state funding for secondary schools, as well as abject poverty within the black communities, led to massive dropouts in black schools. According to Samuel:

> Out of 200 000 black pupils in Sub A in 1950, 894 reached matriculation in 1962. Of these 532 (59.8 per cent) failed. By 1970 the position had not changed substantially. Some 68.8 per cent of black pupils were in the lower primary classes (41 per cent were in Sub A or Sub B); 26.6 per cent were in the higher primary classes; only 4.1 per cent were in junior secondary classes (Form I to III) and 0.36 per cent were in Form IV or V. Some 2 938 black pupils, or 0.11 per cent of the total black school enrolment, were in the final year of secondary school, Form V (matriculation). By 1975 the position had not greatly improved. Although the number of black pupils in junior and secondary standards had improved numerically from 122 000 to 317 000, as a proportion black secondary school pupils had dropped from 4.48 per cent to 2.73 per cent (Samuel 1990:19).

The above figures by Samuel show that the apartheid state was determined to ensure that in line with its policies of discrimination, the majority of black children received education that equipped them with only unskilled manual labour. At the same time education provided to white children prepared them for an almost complete monopoly of dominant positions in society. According to Lemmer (1991), in 1975, over 36.44 per cent of white pupils were in secondary school. This number was 13 times higher than that of black pupils in secondary school in 1975. There were 44 white students for every black one at matriculation level. The differences between white and black attrition/retention rate in schools was due to two factors. First, most white parents were in a privileged economic position and were able to raise more funds for their children's schooling. Second, the state applied racial discrimination strategies in allocation of funding for education and other sectors. Pillay (1990) provide examples where in 1975/76 the state allocated R 744 million to white education and R 166 million to black education. This is

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an average of R644 for every white and R 41.80 for every black pupil. Despite incremental change in the method of funding education introduced in 1980 and early 1990 that aimed at improving the amount allocated to black education, huge inequities remained (Hyslop 1990).

As indicated above, there were shortages of secondary schools for black children. Despite the fact that there was a shift in state policy in the 1970s onwards and more schools were built very few black children were accommodated. The problem was exacerbated by the state's policy of locating high schools for black children in the homeland labour reserves (Hyslop 1990). This was another strategy of denying secondary education to the majority of black children in the urban areas. This strategy also reinforced the state's policy of relocating people to the homelands (Butler et. al. 1977). The limited number of secondary schools ensured that thousands of children were forced into labour market prematurely particularly in urban areas where most of them were engaged in unskilled manual labour.

3.1.2 Inadequate Teaching

There was inadequate teaching due to under-qualified and un-qualified teachers, poor working conditions and salaries. Samuel noted:

> In 1976 only 1.7 per cent of teachers had a university degree. Another 10.4 per cent had a matriculation certificate, 49.3 per cent had two years of secondary school and 21 per cent had completed primary school. Besides being under-qualified, most teachers were very poorly paid. In 1975 black teachers with similar qualifications to whites earned 55 – 63 per cent of white teachers' salaries. An African woman with a degree and a teacher's certificate started on R 185 per month. A white man with a similar qualification started at R 342 a month (Samuel 1990).

Inadequate teaching was aggravated by extremely overcrowded conditions. McKenney (1994) observed that in 1975 the average teacher: pupil ratio in black school was 1:54.1 against 1:20.1 in white schools. In most cases the numbers in a class would be close to 100. It was reported in January 1976 that some primary school classes had up to 113 pupils because principals were reluctant to turn them away (Lemon 1994). In 1975 the shortage of teachers and classrooms forced schools to have double sessions in 43 per cent

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of all black schools (Lemon 1994). The situation remained the same in the 1980s and early 1990s (Nasson 1990).

Due to lack of state funds schooling became very expensive for black people. Until 1976 parents were responsible for purchasing uniforms, all stationery and a number of textbooks for their children. In some places black parents paid additional money besides their monthly rents for school buildings to ensure that more schools are built (Chisholm et. al. 1993). On the other hand, white pupils in state schools received all their textbooks and stationery at no cost (Behr 1988).

The above factors contributed to high drop out and failure rates. Evidently the high failure rate discouraged many black pupils from continuing with their education (Lemmer 1991).

3.1.3   Inequalities in Curriculum

In addition to the skewed allocation of state funding, there were big limitations in the curricula. It was saturated with racism and dogmatism and based on outdated theories of learning and teaching practices. It perpetuated race, class, gender and ethnic divisions and denied common citizenship and national identity (ANC Policy Framework on Education and Training 1995). The curriculum was also examination driven with emphasis on memorisation and rote learning as opposed to the development of critical thinking, reasoning, reflection and understanding. It was unresponsive to changing labour market needs and failed to prepare learners for the world of work and participation in social and economic development of the country (Pillay 1990). The lack of relevance of the curriculum was exacerbated by the narrow base of participation in the curriculum development process. There was lack of involvement of essential stakeholders like parents, learners, workers, teachers and the private sector in the development process (Nasson 1990).

Inequalities in the provision of education to black and white groups were also reflected in the unequal allocation of resources for the implementation of the curriculum. Even where

the syllabus was almost the same, there were differences in the preparation and qualifications of teachers; and the provision of essential resources such as libraries, textbooks, laboratories and other teaching and learning materials (Behr 1988; ANC Framework on Education and Training 1995). This meant that the curriculum that was experienced by different racial groups was not equal. It failed to offer equal access to knowledge. "Unequal access to knowledge placed limits on subject choices in black schools, especially in mathematics and the sciences; and marginalized some forms of knowledge such as cultural and life experiences of the majority of the people" (ANC Policy Framework on Education and Training 1995:72).

Moreover, there was no integration between general education and vocational/technical training and this limited the vertical and horizontal mobility of the majority of South African students, most of who were forced to pursue the latter educational option. This resulted in black students' low and unequal access to both higher education opportunities and the labour market. Education for Whites and Asians was compulsory until 16 years, and Coloureds until 14 years. There was no compulsory schooling for blacks (NEPI Framework Report 1993).

3.1.4   Governance and Management
In terms of education, governance and management, the education system was fragmented and comprised of different segregated subsystems each of which provided for the education of specific population groups. Although there was a Department of National Education that determined national education policy, there were eighteen executive education departments that functioned as separate entities (Lemmer 1991). The Department of Education and Training administered education of black people who lived outside the self-governing states (homelands). Moreover, each of the homelands had its own ministry of education. There was an authoritarian system of educational governance and management which produced a bureaucracy that was inefficient, ineffective and of low quality (Buckland and Hofmeyr 1993). The non consultative and top down style of the bureaucracy restricted wider participation in policy formulation and ensured political control by its top echelons (Centre for Education Policy Development 2000). It lacked

democratic control, as it excluded the majority of the nation's learners, teachers, parents, workers and community members from education decision making (Lemmer 1991). The education system had also been characterized by gender and class inequalities (Nasson 1990).

3.2   Resistance and Changes in the Education System by the Apartheid Government

In 1976, the apartheid state introduced Afrikaans as a medium of instruction for half of the subjects in high schools which catered for the African learners. Before the move, all subjects were taught in English (Alexander 1990). This was rejected by learners, teachers and parents. Moreover, a high failure rate among Standard 5 learners was attributed to the fact that examinations of some of the subjects were written in Afrikaans (Pillay 1990). Negotiations failed and this led to the Soweto student uprising of 1976 (Nasson 1990; Lemmer 1991). This revealed the failure of Bantu Education and led to more challenges to the apartheid education system by black learners. Although the uprising was geared towards challenging the state's education system, it was linked to the broader political struggle of black communities against the evils of the apartheid system. The same period witnessed the emergence of the independent black trade union movement; the spread of Black Consciousness ideology; significant downturn in the country's economy; high unemployment rate; and political independence of Mozambique and Angola (Samuel 1990:22). All these developments had a spill over effect on schools.

The use of Afrikaans as a medium of instruction in black schools was dropped by the state after the 1976 Soweto uprising. There were moves by the state to increase funding of black schools in 1979. More funds were allocated for maintenance of school buildings and building new classrooms in urban areas. However, vast inequalities continued to exist between funding for schooling and education of white and black learners. According to Samuel (1990:22), "In 1979 it was estimated that the state spent R 7 000 on each white child for the full period of his/her schooling, as compared to R 350 for a black child". In 1980, the apartheid state implemented the Education and Training Act to replace the

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Bantu Education Act of 1953 and Bantu Special Education Act of 1964 (Behr 1988). According to Behr (1988:33):

- The Act dropped the designation of Bantu and replaced it with "black";
- It declared free and compulsory education as its central aim;
- It pledged itself to the active involvement of the parents and communities in the education system;
- Appointment and dismissal of teachers became the domain of the Department;
- Home language would be used as medium of instruction up to Standard 2 (Grade 4);
- Building and maintenance of black schools became the responsibility of the Department of Education and Training (DET).

People involved in black schooling felt that the Act did not address the real problems of education as it took place within the framework of political reformism and separate development (Lemmer 1991; McKenney 1994). DET announcement that compulsory education would be introduced in certain selected areas in 1981 was rejected because people felt that it was imposed by the state without consultation (Pillay 1990). At the same time a new regulation to restrict admission on the grounds of age was introduced. Students over the age of 20 years were barred from registering for Standard 9 and 10 (Grade 11 and 12) while those over the age of 18 were not admitted to Standards 6, 7 and 8. Those over the age of 16 were not admitted in primary schools. Although the regulation was not strictly adhered to, it became a major source of contention as it was implemented selectively to keep out learners who were student leaders and those who led the school boycotts and resistance (Nasson 1990).

In 1983 the apartheid state released the White Paper on the Provision of Education in the Republic of South Africa. The White Paper was the result of recommendations made by a Working Group based on investigation made by the Human Sciences Research Council (HSRC) on education in South Africa (Behr 1988). Behr outlines the content of the White Paper as:

> All educational matters that relate solely to a specific population group were deemed "own affairs" of the group concerned, but aspects of education which affect all groups, such as financial standards, salaries and conditions of employment of staff, would be handled as "general affairs" by a new Ministry of Education. As for syllabi, the government once more reiterated the

desirability of different curricula, declaring that each education department had the right to develop syllabi in accordance with the world view and within the cultural framework of the population group it serves (Behr 1988:36).

As in the previous policies the response to the White Paper was negative (Lemmer 1991). School boycotts and learner protests intensified in the 1980s and during this period actual teaching and learning did not take place in most black schools. The move also saw the suspension and arrest of many student leaders and the banning of Congress of South African Students (COSAS), an association of learners in primary and high schools that is affiliated to the ANC. Learner protests and school boycotts revealed that solution to the inadequacies of the education system was only a short term demand. The education struggle was interlinked to the wider struggle for liberation and the demise of apartheid. Therefore, students linked their educational grievances to wider community and political issues such as the withdrawal of police and military from the townships; the resignation of town councillors, a reduction in rents and the reinstatement of dismissed workers. Samuel observes:

> The rapid intensification of student protest against the educational system and the clear identification of this protest with the wider struggle against the apartheid state were the consequences of a number of developments. The political crisis of the state, the growth and strengthening of black political initiatives (through the organisation of the United Democratic Front and the National Forum), the weakening economy, the increasing strength of the organised labour movement, the lack of confidence expressed by the private sector, a growing number of attacks of targets inside South Africa by the liberation movements, and growing internal resistance, all created a political climate of resistance. It is in this context that the intensification of student protest must be seen (Samuel 1990:27).

The crisis precipitated reactions by different communities and organisations, among them the National Education Crisis Committee (later the National Education Coordinating Committee, NECC). The NECC was launched in 1985 as the education component of the anti apartheid mass Democratic Movement and comprised of community and political leaders, parents, teachers and learners. It became a strong negotiating force with government. The incremental educational reforms in 1980s could be attributed partly to

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the pressure exerted on the state by the NECC and other movements (Lemmer 1991). The NECC developed principles for a post apartheid education system under the banner of people's education. According to Wolpe (1990:26), the principles put forward were:

- the establishment of a free compulsory, unitary non racial and democratic system of education administered by a single department;
- the need for education to be rooted in the community allowing for the active participation of learners, parents and teachers in the process of education;
- formal recognition of the role played by learners in the education process;
- development of curricula and textbooks relevant to local needs;

The NECC became a strong pressure group advocating for democratisation of the education system. Most of the cosmetic and incremental reforms in education made by the apartheid government in the 1980s for the black population groups are attributed to pressure exerted by NECC on the government (Lemon 1994). However, the intensification of the resistance against the apartheid system from within the country; and the imposition of different sanctions by the international community; and increased pressure on both the ANC and the apartheid government by allies forced the two parties to opt for a negotiated settlement. Education was among the aspects discussed in the negotiation forums. As the negotiations were about to begin, the apartheid government took a different approach towards admissions, financing and management of white schools (Lemon 1994).

3.2.1   Changes in the Status of White Schools and Admission Policies

In the 1980s, school segregation laws led to an increasing surplus of places for whites, and this led to the closure of many schools. The schools that closed down in 1992 had the capacity to enrol 25 822 learners, but had enrolled only 11 226 (Chisholm et. al. 1993). Enrolment ratios had decreased because of a decline in the birth rate among the white population group. Although with the Free Settlement Areas Act of 1988 people of different races lived in same areas, they still had to take their children to schools of their own racial groups. Parents in areas which were most affected with the closure put

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pressure on the government to allow white schools to admit learners from the other racial groups (McKenney 1994).

While the government reacted by using repressive measures on blacks when they demanded change to the education system, the white population received a positive response. Three new school models were introduced in 1990. According to Lemon:

> Parents could opt to go private, with a 45 percent subsidy (model A), state-aided, with the state paying staff salaries (model C), or to manage their own admissions policy, subject to conditions intended to preserve their cultural character, but remain fully state financed (model B). Schools wishing to change status were required to hold an official poll of parents; an 80 per cent turnout was required, and 72 per cent of those entitled to vote had to support the change. The ministry would then give its consent (Lemon 1994:94).

The response to the policy was overwhelming and by the end of 1991, ninety five per cent of schools in the Cape Province had voted for change; 79 per cent in Natal; and 38 per cent in the Transvaal (Lemon 1994). Although the process took some time to be accepted and adopted in Afrikaans medium schools, they eventually voted for change to the new school models because schools with lower enrolment were threatened with closure. They also risked losing their subsidy allocation from government. Therefore, they endorsed change not because they were genuinely keen to do so, but because they could not afford to lose their privileges (Lemon 1994). A new model D was also introduced to allow white schools with seriously decreasing enrolments to be transferred to black education departments, or to be transformed into open schools under the control of the Department of Education and Culture. Although this was seen as a step towards addressing the backlogs in black education, the shifting of a school from one racially defined department to another was criticized as a continuation of an 'own affairs' policy that reinforced continued segregation (McKenney 1994).

The majority of white schools opted for model B as they wanted to control their own admission policies. McKenney attributed the response to change in the school system by the white population group as being driven by conservative reasons:

Schools believed that control over their own admission policies could enable more measured change than might ultimately be forced on other state schools. Certainly the admission policies adopted suggest that schools were anxious to protect their academic standards as well as their culture ecology as indicated by staff members of Bryanston High School, Johannesburg (McKenney 1994: 35).

By the beginning of 1992, black learners were estimated to comprise only 0.88 per cent of the total enrolment of 904 403 in Model B schools that admitted learners from other races. Of this 0.88 per cent, African learners comprised 40 per cent, coloured learners 43 per cent, and Indian learners 16 per cent of black enrolment at these schools (Chisholm et.al. 1993). This was a very small number compared to learners from the black population group who needed admission. Due to budgetary constraints caused by economic recession, school financing policy changed in 1992. School budgets were cut and teachers were retrenched. In order to minimize retrenchments, all schools were advised by the government to adopt model C whereby they would retain the status quo, but with fewer teachers and reduced funding. Fee payment would become compulsory. Both poorer white and black children felt the effects of Model C.

Although the government made available R70 million to assist needy parents and schools converting to Model C, the press publicised the results of several surveys that showed how fees had risen and remained unpaid. One survey which was completed by 94 per cent of Model C schools, showed that more than a quarter of parents of children (74 per cent) had not paid fees in full, while 18.8 per cent had partially paid and the rest had defaulted (EduSource 1993). This means that no fees were paid in full at these schools. If the schools were unable to extract fees, it raised questions about the number of black learners who could be accommodated, as most parents would not have sufficient income to pay. The parents in each Model C school elected a school governing body. Ownership of buildings and grounds, furniture and equipment was transferred free of charge to Model C schools.

School governing bodies would be responsible for maintenance, which accounted for 17 per cent of total costs. Schools became juridical bodies with the right to enter into contracts and to sue and be sued. They gained a high degree of autonomy, including the right to charge compulsory fees and to determine the admission policy of the school. Although the transfer of assets was due to financial constraints, it was also undoubtedly geared towards making it difficult for the new government to reverse changes in the schools and to enable the NP to maintain support from its constituency (Sayed 2002). According to Lemon (1994), the South African Democratic Teachers Union (SADTU) stated that the budget constraint was used as a smokescreen to restructure white education before a democratic solution to the entire education crisis could be found through the process of negotiation.

Schools introduced admission tests to assess proficiency in language and numeracy in order to determine the entrance level. However, some studies alluded to the fact that some schools administered entrance tests in order to control enrolment of learners from different racial groups (McKenney 1994). Differentiation among the black people became an issue because it was the few privileged middle class group who might be able to send their children to schools with better facilities and more qualified teachers. People have reacted to cases where teachers in state schools took their children to model B schools, and became less committed employees in their own schools, as they knew that their own children's education was qualitatively higher and secure (Chisholm et. al. 1993).

3.2.2   *Proposal on Regional Integration*

Another measure taken by the apartheid government to restructure white education was a proposal to integrate all departments of education (excluding homelands) on a regional basis. This did not mean abolishing of the four governance models of education, which operated on racial basis. But Piet Marais, then Minister of Education and one in charge of restructuring, said that the 64 Acts which regulated education at that time were to be reduced to six or seven as the government began to integrate the existing four education

ministries into one central ministry and create several non-racial regional education systems. Marais stated:

> It would be impossible to run such large organisations on a centralised basis, and one of the realities was that education would have to be organised and administered regionally. An education department consisting of a departmental head and a management team should be established in each region. In this way, the available education management manpower, from within and outside of the existing management departments can be divided among all regional departments. The three education departments (White, Coloured, and Indian) of Parliament and the DET should be brought together in a co-operative venture. Self-governing states would come into the system voluntarily, while the addition of independent homelands would depend on constitutional negotiations. Education regions would have to coincide with the regions as determined in the negotiation process (Education Policy Unit, University of Witwatersrand Quarterly Review of Education and Training in South Africa 1993:4).

The above statement suggests that the intention of the government was to maintain the system of segregation in education despite the idea of establishing a single central ministry and regional departments. Many groups opposed the initiative as they felt that efforts to restructure education had to involve all stakeholders through a negotiated process. Teacher organisations, particularly SADTU and other stakeholders called for the establishment of a National Education and Training Forum (NETF) to negotiate on transformation and restructuring of the education system (Chetty 1993).

It is evident from the above discussion that as the negotiations advanced, the apartheid government used institutions which were instruments of the state to make changes in the system in order to maintain its interests and those of its constituencies; and to strike a good bargain position in the negotiation process. According to Sayed:

> The National Party was both negotiating group and the government of the day. It thus not only engaged in formulating possibilities and options for education but was also able to effect unilateral changes as it controlled the apparatuses of the state. An important aspect of its strategy was unilateral deregulation of state assets. In education, it formulated the Clase Bills which ceded control of formerly white only schools to school governing bodies. In the interregnum from negotiation to elections, the National Party government effectively created a market driven school

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system, with white schools charging high school fees and gaining control of their physical assets as required by the Constitution. The new government was thus committed to entering into bona fide negotiations over any alteration to the formerly white only schools. As a result the National Party stripped the state of considerable assets even before the new government came into being (Sayed et. al. 2001:252).

The different changes made by the apartheid government in white only schools and the proposal to reorganise education administration can be explained by referring back to ideas, group and institutional approaches or theories. The fact that the NP was in power meant that it had the advantage of using the rules and structures of the government to advance ideas that enabled it to effect changes and to ensure that its interests were maintained and secure. At the same time, the apartheid government made it difficult for the new government to implement its transformation agenda in education. As indicated in Chapter II, actors and groups use ideas to circumvent institutions to effect changes in pursuit of their interests. Public officials have their own interests and ambitions that they seek through control of state machinery. Since institutions comprise of norms, rules and structures of government, people from within are able to use those norms and rules to effect changes that would enhance and further their interests (Howlett & Ramesh 1995). The above findings also reveal that institutions constrain or restrain change.

3.3   The Situation in State Schools

While changes were taking place in white schools, the situation in most state schools that served black communities rapidly deteriorated. The enrolment at black schools throughout the country exceeded its potential capacity by more than 250 000 during the first quarter of 1993 (see Table VII). Double shifts operating at 367 schools had involved 266 947 primary and 85 820 secondary school learners, at the same time as some white schools and colleges were closing down (Edusource 1993).

Table VII: Capacity of and Actual Enrolment in Schools, 1993 (Excluding Homelands)

Population Group	Capacity	Enrolment	Places Shortage (-) or Excess (+)
African	2 385 021	2 635 653	-250 632
Coloured	828 370	893 074	-64 704
Indian	294 354	271 319	+23 035
White	1 493 086	906 302	+586 784
Total	**5 000 831**	**4 706 348**	**+294 483**

Source: EduSource Data News 1993

While it was evident that the government was protecting privileges of its constituencies in education through changes that were made in white schools; it sought to alleviate some of the pressures on township and rural schooling through increased expenditure. Government spending on black schools increased by 25 per cent during the 1993/94 financial year to R4.1 billion (Hofmeyr and Simkins 1993). However, despite the above increases, expenditure was eroded by sharp increases in unit costs as well as student numbers. Therefore, real spending per learner declined by more than 10 per cent and the differences in average spending per learner remained large (see Table VIII).

Table VIII: Per Capita Expenditure, 1993/94 (Excluding former homelands)

African	R2 184
Coloured	R3 691
Indian	R4 687
White	R5 403

Note:

- Per capita expenditure in the former homelands varied from R1 053 (Transkei) to R2 241 (Qwaqwa).
- Equal per capita expenditure on all children in the country averaged out at R2 222.

Source: EduSource Data News 1995

Therefore increases and changes of trends in financing did not significantly affect inequality, quality, or conflict in the education system. The African population group particularly those in the homelands remained the most disadvantaged. In 1992/93, South Africa experienced its worst crisis in education since 1984/85 (EduSource Data News 1992). As discussed in Chapter I and earlier sections of this Chapter, the crisis in education was integrally linked to the political crisis in the country and the ups and downs of the political negotiations that were taking place during that period. The Education Policy Unit, University of Witwatersrand Journal of Quarterly Review of Education and Training in South Africa (1993) show that more than 16 000 instances of disruptions took place throughout the country and 11 million pupil days were lost. An analysis of the disruptions showed that 23 per cent of cases occurred in Gauteng and almost 17 per cent in townships on the East Rand. These were places where the lowest pass rates in matriculation examinations were recorded (EduSource 1993). In order to understand the underlying causes of the crisis, we need to look closely at the struggles

that were taking place on the ground during this particular time. The government imposed R72 matriculation examination fee, which was rejected by students from black communities. It was later reduced to R48. According to Tikly:

> Examination fees for matriculation students represent only about 0.17% of the total estimated R23 billion budget for per-tertiary education in 1993/94. While an examination fee of R48 represents roughly 6% of the average monthly income of an African family (estimated at R779), it constitutes only 1% of the average monthly income of a white family (estimated at R4 679). The intransigence of the state on the issue thus needs to be explained. It must be seen against the background of attempts by the state to set policy precedents which would be difficult to reverse in the future and as a regressive tax which, like VAT, presses hardest on the poorest (Tikly 1993:6).

Another issue was overcrowding and lack of space in schools that were meant for black population groups. The Congress of South African Students (COSAS) and other student organisations embarked on a campaign to have examination fees scrapped and for the government to allow students to make use of underutilised white schools. The student organisations together with NECC had also demanded cessation of the unilateral restructuring of the education system, the establishment of a national negotiation forum for education, more textbooks, laboratories, libraries and teachers at black schools (Education Policy Unit, University of Witwatersrand 1993).

Similarly, teachers aired their grievances, demanding an increase in salaries and an end to rationalization and retrenchments. The government responded with an increase of 5 per cent salary to all civil servants, but SADTU rejected the offer and embarked on a two-week strike leaving learners without teachers. Although the initiative was not wholly successful, its negotiating team won key concessions on salary increases for lower paid teachers. According to the Education Policy Unit, University of Witwatersrand:

> This was SADTU's first attempt at organising a national strike of South African teachers. Mistakes have been made. At the same time, important victories have been scored, leading to the empowerment of a sector that has long been subjected to intensely authoritarian and bureaucratic forms of control. The unquestioning subservience of teachers to education authorities has finally been broken (Education Policy Unit, University of Witwatersrand 1993:4).

The strike had mixed results. While on the one hand large sections of the community, namely, learners, were alienated and disadvantaged by the strike, some gains were made in salary increases, and increased confidence of SADTU and teachers as an organised group to exert pressure for change. The pressure exerted on the government led to the establishment of the much awaited National Education and Training Forum (NETF) for negotiating transformation in the education sector. The idea of a forum as a means to engage the state had first been mooted in 1992, at the National Education Conference (Education Policy Unit, University of Witwatersrand 1993). However, differences emerged on the role that such forum would play.

3.4 National Education and Training Forum (NETF)

According to Jansen (2001:22), the NETF was "one of several fora established as sectoral negotiating bodies ahead of the inauguration of the first post apartheid state". It began to function late partly due to disruption of schooling in townships and in major city centres and also failure of government and organs of civil society to address the education crisis. The initial attempt to address the education crisis was the establishment of the Joint Working Group consisting of government officials and members from the ANC. The functioning of the Working Group failed due to lack of will by the apartheid government and also lack of legal status of the group to intervene and initiate changes in the prevailing situation in education. The failure of the Joint Working Group brought together of political, teacher, student and education service organisations in a National Education Conference in 1992. The aims of the conference were (Jansen et. al. 2001:23):

- To develop broad principles, norms and values that should underpin a future education system;
- To establish joint strategies and campaigns to address the education crisis;
- To develop mechanisms for constructing a new education system and for dealing with education in the transition period.

The conference called for establishment of a negotiating forum that would bring together the government and participants in the National Education Conference with the aim of putting an end to the unilateral restructuring of education by the apartheid government

and enhance a negotiated restructuring of education during the transition period (Jansen et. al. 2001). Hence the above developments in the National Education Conference together with persistent strikes and protests by teachers for salary increases and demands for an end to retrenchments led to the establishment of the NETF in August 1993.

The government saw NETF as an advisory forum to the education co-ordination service made up of experts. Other individuals saw it as a forum to 'clip the wings'of youth and call schools to order (Chetty 1993). In other words, both the government and individuals wanted the forum to be diverted from its functions by enforcing discipline and curtailing calls for transformation of the education system. The National Education Conference demanded a representative body of all stakeholders, including students, whose work would be conducted on the basis of consensus. The government wanted to see the NETF as a body that would exist indefinitely, while the National Education Conference representatives saw it as a transitional structure that would to facilitate negotiations in restructuring the education system (Lawrence 1995).

According to the founding agreement (1993:1), the mission of NETF was to initiate, develop and participate in a process involving educational and training stakeholders in order to arrive at, and establish agreements, on:
- the resolution of crises in education;
- the restructuring of the education system for a democratic South Africa;
- the formulation of policy frameworks for the long term restructuring of the education and training systems, which are linked to the human, social and economic development needs of South Africa.

Participation in the NETF was open to national stakeholders in education and training. The structure consisted of a plenary which was the highest decision making body; an executive committee responsible for planning, coordinating and driving the work of the forum; working groups which would investigate matters referred to them by the plenary or executive committee; a chairperson elected on a rotating basis and a secretariat (EduSource 1994).

According to the founding agreement, the NETF would operate on the basis of inclusivity and consensus seeking. It would aim to acquire its authority through developing widely accepted, implementable and effective policies and function in a transparent and publicly accountable manner. The Forum accepted that responsibility for managing education remained with the government of the day (NETF 1993). The success of NETF was mixed. It managed to deal with some short-term issues (for example suspension of examination fees) but did not make much headway on restructuring. A major problem was the reluctance of the government to co-operate in providing information and planning for change (Education Policy Unit, University of Witwatersrand 1994).

This section has outlined how education for black groups, particularly Africans, deteriorated and led to a crisis that was characterised by strikes, protests, boycotts and campaigns by teachers (SADTU), students (COSAS) and other ANC affiliated organisations. The actors called for the establishment of the NETF and an end to restructuring of education by the apartheid government. Pressure from the different groups involved led to the establishment of the NETF for negotiating transformation in the education sector and salary increase for teachers. It also increased confidence of different groups in demanding for their issues to be included in the policy agenda. The above discussions can be explained by referring back to ideas and group approach. Different interest groups consisting of teachers, students, NECC and other service organisations aligned to the ANC organised under the umbrella of the National Education Conference put forward certain demands, among others, bringing apartheid to an end; bringing to a halt the unilateral restructuring of education by the apartheid government; enhancing a negotiated restructuring of education; improving of teachers' salaries and ending retrenchments and rationalisation; abolishing examination fees and alleviating the problems of overcrowding in schools.

The major point regarding these demands is that groups had interests which were in conflict with those of the government. Moreover, they had no informal relationships and interactions with network alliances in the government and neither did they always share

similar ideas and interests. Due to the above reasons, it would not be possible for the groups to advance their ideas and interests in order to effect the necessary changes. Hence the groups exerted pressure on the apartheid government by means of protests, strikes, boycotts and other mass campaigns to ensure that negotiations and restructuring of the education system is addressed. Anderson (1990) identifies protest activity, including violence, as a means of bringing problems to the attention of policy makers or as a way of putting pressure on policy makers to address problems by putting them on the policy agenda. Despite the fact that the apartheid government acceded to some of the demands, like an increase of teachers' salaries, removal of examination fees and the establishment of the NETF, as the government of the day it ensured that it constrained the NETF from pursuing a negotiated restructuring of education.

Group interests also became dominant before the 1994 elections where different policy networks and coalitions joined a race in competing to advance ideas on possible policy proposals and options in the education sector in the future democratic government. Groups that advanced policy proposals and options had different interests and orientations with varying goals, values and aspirations. This resulted in watering down some of the Principles of People's Education as advanced in the Freedom Charter and put forward by the NECC and other organisations in the Mass Democratic Movement. The following section discusses the policy proposals and groups that advanced them

PART II

Policy Initiatives in Education before the 1994 Elections

Before 1994 elections, different groups, constituencies and organisations came up with options, ideas and beliefs that shaped the education policy agenda and proposals of the democratic government (Muller 1987; Badat 1995). This part examines constituencies and the content of the agenda in mid and late 1980s and in the period starting from 1990 to 1994. It will show the agenda narrowed and changed with the participation of different groups and actors.

Democratic movements, among them the NECC, shaped the education agenda and options during this period. The agenda consisted of the liberal and radical ideals embodied in people's education pioneered by the NECC in the 1980s and early 1990s. The groups and constituencies involved included students, teachers, parents and workers. The Freedom Charter, drawn up in 1955, became the foundation for all specific demands around education. Although most of the actions undertaken by the above groups were intended to maximize resistance to the apartheid system, they played a great role in shaping the direction of education policies and transformation in the country (Chisholm and Fuller 1996).

The principle of equality of provision was extended in daily contests by teacher and student organizations to issues around free and compulsory schooling, provision of facilities and textbooks, and teachers' working conditions and salaries. There were struggles against racially based schools, compulsory school fees and exclusions from school on the basis of age, among others (Perry 1992). Unequal spending on white and black education was at the root of inequality and of the racist school finance system. Democratic governance at both national and local levels was another issue contested and was central to the 1980s agenda which combined elements of the Freedom Charter and the NECC agenda. There was a demand for a unitary and desegregated system of schooling. The call for a strong central state was seen as necessary for redistribution and

attainment of equity. The NECC advocated democratisation of social relations inside schools. According to Chisholm and Fuller:

> The demand for popular control over and democratization of schools found clearest expression in the struggles around the establishment of democratically constituted Student Representative Councils (SRCs) and Parent-Teacher-Student Associations (PTSAs). This was one of a number of demands designed to alter social relations in schools; also included were demands for an end to sexual harassment of schoolgirls by male teachers, of corporal punishment and the requirement to pay school fees (Chisholm & Fuller 1996:700).

The NECC and the whole democratic movement's understanding of democracy was rooted in conceptions of mass participatory democracy and a radical egalitarianism concerned with democratisation of control over schooling at local, regional and national levels with the following elements: stronger participation of girls and women in the education sector; greater involvement of parents, teachers and students in school affairs; the recognition of the association by teachers inside the school; and more lateral participatory teaching practices inside classrooms (Mashamba 1990). They advocated public and objected to private schooling (Lewin 1991; Badat 1995). Hence, from this notion of democracy, there was a strong conviction in equality in education and rejection of elitism, which benefited a selected few people.

Another aspect of people's education that was contested by the NECC and other democratic movement groups was the culture of teaching and learning. In this area groups advocated a progressive curriculum that would:

- encourage collective input and active participation by all, as well as stimulating critical thinking and analysis;
- equip and train all sectors of people to participate actively and creatively in the struggle to attain people's power in order to establish a non-racial democratic South Africa;
- allow students, parents, teachers and workers to be mobilized into appropriate organisational structures which would enable them to participate actively in the initiation and management of people's education in all its forms.

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Teacher education was considered crucial in assisting students to formulate appropriate programmes that would liberate and empower them with skills and prepare them to become responsible and good citizens (Nkomo 1990; Unterhalter 1992).

Democratic governance at national and local levels; equity; redress; and the culture of learning had specific meaning as defined in the above section. For instance, the positive and creative side of people's education insisted that the equality of education between races was not enough and that a radical transformation of basic economic and institutional structures was required to address the ills of apartheid (Essop 1992). The radical and idealist policy agenda of mass democratic movement and the NECC's people's education became diluted and narrowed drastically as events unfolded in the early 1990's.

3.5   Organisations, Institutions, Groups and Policy Position in the early 1990s

The unbanning of political organisations and the process of negotiation led to pronounced changes in the transformation agenda. The ANC with a more moderate approach to educational reform, assumed political leadership over the more radical NECC (Badat 1995). This also divided the NECC as "leading members became divided in loyalties between building the ANC internally or keeping the momentum of the NECC going as a separate organisation" (Chisholm and Fuller 1996:702). Furthermore, as the politics of negotiation (which had began at the national level) included high level players, the initiative for change was removed from school based actors and weaker interest groups that had engineered mass action and envisioned radical change of social relations at the local level. Chisholm and Fuller wrote:

> COSAS and other student bodies such as Pan African Students Organisation (PASO) generally delinked local organizing from national policy issues. The tertiary students' organization, the South African Students' Congress (SASCO), became focused on internal reorganization and its role in the new era. SADTU, now recognized as a legitimate agent of teachers, concentrated on building its own organization and advancing salaries and working conditions. The strength of NECC was itself dwindling. It was no longer effectively coordinating the struggles of its diverse

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constituencies, previously united by their common opposition to apartheid. These constituencies now appeared to be retreating and fragmenting along traditional lines of self-interest, moving away from earlier core issues central to people's education (Chisholm and Fuller 1996:704).

Organisations, groups, interests and institutions with different beliefs and ideologies came up with ideas about "best policy options" which would enhance change in the education sector after 1994. According to John:

> Ideas based approaches in public policy contend that it is the ideas that actors bring to the public sphere that are the reasons for policy change and stability. The reason why there are particular policies is because people believe and try to influence decision makers on the basis that there is a right course of action. Advocacy is a causal factor over and above the effects on policy of political institutions and interests (John 1999:145).

While the above statement show the importance of ideas in policy process, it is assumed that ideas together with interests bind together the groups and individuals in a policy sector thus enabling them to exert influence. This was the case with different groups in the early 1990s. Those in the mass democratic movement, the ANC and labour were interested in transforming the education system to enhance equity, participation and redress. Those in business were interested in enhancing equity and redress in education in the country. They were also interested in transforming the education system to enable it to offer education that would generate skills geared towards improving the economy and meeting competitive market conditions. The apartheid government was interested in doing away with using race as the basis for provision of education but it also ensured that changes in policies would not disadvantage it and its constituency. The different actors and policy options put forward before 1994 are examined below.

3.5.1 The ANC

The ANC established an Education Desk in Johannesburg, which coexisted with the NECC. As indicated in Section I of this Chapter, the NECC was an alliance of student, teacher, and labour organisations (COSAS, SADTU, COSATU) and became the initial vehicle through which the ANC directed the development of its education policy. The NECC commissioned the National Education Policy Investigation (NEPI) to develop

policy options for the broader democratic movement (Sayed & Jansen 2001). The unbanning of political movements and the beginning of negotiations brought new challenges for the democratic movement in South Africa. For bodies such as the NECC, this meant that their opposition and demands-based strategy would have to be replaced by one which enabled them to engage the state and other powerful groups such as the business sector in debate around specific possible alternatives to the future education system (NEPI 1993). It was acknowledged that the strategic shift would not have been accomplished easily. According to Wolpe:

> Decades of repressive political conditions have left South Africa with a seriously impoverished public discourse about education possibilities and alternatives. With a history of restricted access to information and analysis, and a political climate hostile to free debate and open discussion, it is no wonder that much of the discussion is couched in terms of opposition and general demands for redress rather than in terms of positive and attainable alternative policies. Progressive educationists have tended to respond to the hostile and polarised political environment in similar terms, with critical analysis of government policies rather than by providing the research and analysis necessary for formulating specific policy alternatives (Wolpe 1995:3).

In addressing the new challenge, the NEPI had to orient people to the new position. The initial purpose was to provide NECC with information and analysis as a basis for discussion and debate. It was hoped that this would in turn enable communities, groups and individuals to sharpen their views about their education interests and how these could best be served, thereby enabling them to participate more effectively in the policy debate. The Framework Report states:

> A consequence of NEPI has been the creation of a context where South African progressive educationists could together go through a process of policy option analysis, thereby expanding, consolidating, and partly re-orienting a broad base of expertise regarding policy issues. Through the exercise NEPI researchers have come to see that notions of policy analysis and vigorous democracy are closely allied to each other. By broadening the terms of discussion, by extending the issue of policy beyond a narrow circle of education expertise, and by seeing the policy process as a dialogue where it is legitimate to differ, it is hoped that the NEPI reports will make a contribution to the way in which educational policy is understood and pursued in a future non-racial, non-sexist democracy (NEPI 1993:4).

Hence, the main contributions of NEPI were:

- Establishing a values framework within which a post apartheid education policy could be conceived, that is, around the pillars of non-racialism, non-sexism, equity, democracy and redress.

- Engaging academics from universities in policy development, thereby effectively displacing the earlier tradition of policy criticism, which characterized progressive academic work in education.

- Signalling the parameters within which a more refined education policy could be developed in the future, for example, the establishment of early childhood development and care, and adult basic education and training as crucial areas within which to shape future policies.

- Creating a frame of reference within which rival policies would develop their own policy positions.

NEPI produced 12 main reports in 1993 outlining policy options for early childhood development and care, adult education and training, curriculum, post-secondary education and governance.

However, NEPI had its own weaknesses and could not claim to develop what became ANC policy since 1994. An examination of the new government education policy shows less continuity with NEPI options. Sayed and Jansen (2001:18) outline the weaknesses and criticisms of the NEPI options:

- The NEPI could not anticipate the ambitious and idealistic statements of what should be rather than concrete analyses of what would actually happen given CODESA and the politics of reconciliation.

- NEPI researchers had limited access to the inner workings of the education bureaucracy and the kinds of legislation and practice governing policy formulation on a day-to-day basis.

- The NEPI worked in relative isolation from the main engine of education and training policy formation, namely, the National Training Board (NTB). The influence and authority of the NTB, in its second wave of policy generation could not have been anticipated by NEPI at the time.

Evidently, ideas on policy options put forward by NEPI revealed the inexperienced side of the ANC and other mass democratic movements. The expertise and skills gained in

NEPI was used by the ANC in the development of a major process of education policy research and writing. The exercise was orchestrated through its 'think tank', the Centre of Education Policy Development (CEPD) that was established in 1992 and funded by the Canadian government (Wolpe 1995). The role of think tanks in the policy process was discussed in Chapter II. The 1970s and 1980s saw the emergence of a number of important think tanks mainly because policy makers and others were in need of new ideas and policies (Weiss 1992). Non-governmental think tanks like the CEPD in the early 1990s saw their role as shaping the context within which debates on issues takes place, and aimed at influencing the process wherein issues are formulated into problems (Parsons 1995).

The CEPD saw itself as a professionally autonomous institution, providing independent, rigorous and well-researched policy support to the democratic movement in the education and training sector during the transition period (CEPD Prospectus 1993). The CEPD functioned under the auspices of a Board of Trustees that included the ANC and the Congress of South African Trade Unions (COSATU).

The CEPD worked through non-governmental research units and engaged individuals, academics, activists in the education sphere, as well as practitioners to conduct research on all aspects of the education system and to propose policies for education transformation. A series of workshops were hosted to prepare a draft ANC education policy. The workshops suggested the following priority areas: structure and system of schooling; integration of education and training; rural education; language policy; teacher development; finance and the bureaucracy; science and technology education and post secondary education (Chisholm & Kgobe 1993). While NEPI provided the foundation for much of the work conducted in these workshops, new material and more refined policy positions were developed (Chetty 1993). Unlike NEPI, a policy framework of the ANC rather than policy options was produced.

The policy framework was produced to enable the ANC to present an overall vision and outline broad principles for a new education and training policy for South Africa. It was

aimed at providing cohesion in an education system that was deeply fragmented along racial and ethnic lines. It did not offer very detailed policy proposals but sought to build the foundation on which concrete suggestions for changes in policy could be developed and implemented (the Education Policy Unit, University of Witwatersrand 1994). Moreover, the ANC charged the CEPD with the task of interpreting the Policy Framework in programmatic terms by developing an Implementation Plan for Education and Training (IPET). The purpose of the process was:

> To prepare a plan to be used by the central and provincial governments that will take office immediately after the elections. It is intended to form the basis for action by ministers in the new governments and enable the new executive and administrative authorities to act quickly in putting new policies to work. IPET will not stand on its own but form a part of the overall Reconstruction and Development Programme (The Education Policy Unit, University of Witwatersrand 1994:12).

However, there was dissatisfaction expressed about people's exclusion from participation in the process. Civil society organisations, among them SASCO and COSAS felt that the formulation of education policy did not go through sufficient consultation and that many important structures were excluded from the process (the Education Policy Unit, University of Witwatersrand 1994). They also expressed their fear that the process was overtaken and dominated by academics and experts who did not represent any constituency other than themselves. Some of the educators, parents, members of civic organisations and NGOs from the Eastern Cape province who were interviewed by this author echoed similar sentiments. The respondents were asked to comment on the process of developing policy options before 1994 and inputs provided by them in the process. The majority of them felt that academics, experts and ANC elite (mostly from exile who did not know the realities on the ground) dominated the process. *"The process excluded most of the people who are crucial and real stakeholders of education who were not highly educated but knew what they wanted in the new South Africa since they were advocates of People's Education"* (Response from member of community based organisation).

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3.5.2 *Labour*

3.5.2.1 <u>National Union of Metalworkers of South Africa (NUMSA)</u>

The origin of post apartheid policy on education and training dates back from the mid 1980s. This was the time when NUMSA's Research and Development Group offered block training for workers over a three-month period. In the workshops, consultations took place and workers were able to provide inputs on their experiences and limitations of the training that they received and their future development aspirations. According to Sayed & Jansen:

> These experiences were strong formative influences on Bird's (The person responsible for NUMSA's RGD for Training) thinking and orientation towards education and training. Workers wanted training, but could not progress unless they passed through the formal schooling route. And schooling was geared towards youth, with a rigid set of steps for achieving school qualifications. For Bird and her colleagues, a crude model of a future vision for resolving this problem started to emerge: it consisted of the two legs of a ladder, the one representing education and the other training. The rungs would connect education and training to enable workers to enjoy upward mobility without having to re-enter the school system (Sayed & Jansen 2001:14).

The Australian Metalworkers' Union had developed a sophisticated model of the emerging ladder, which impressed NUMSA, and trainers of labour movements. Bird and other labour movement trainers and officials visited Australia and had meetings and discussions with academics, educators and representatives from the Australian Metalworkers' Union. The model was presented at the NUMSA Congress in 1991. To NUMSA, the Australian model offered broad banding and multi-skilling as a method of increasing productivity which was part of the broader economic agenda. Increased productivity was linked to improved training. However, the Australian debate was driven by labour and schooling did not appear as strongly reflected in the conceptualisation of this model of education and training.

3.5.2.2 <u>COSATU</u>

Between 1990 and 1993, COSATU developed a pro-active human resources policy, which included a policy for literacy and adult basic education. To COSATU, adult basic education referred to the provision of an empowering general education for adults to

ensure literacy, numeracy and information gathering skills (Chisholm & Kgobe 1993). Like NUMSA, COSATU implemented block training for workers through Participatory Research Projects. Training workshops served as policy deliberation forums for education and training. The main purpose, like that of NUMSA, was to find ways of integrating education and training.

Subsequently, COSATU put forward a policy proposal on human resources development whose goals included commitment to a single, non-racial and non-sexist education system geared towards meeting the needs and aspirations of society (COSATU Human Resources Committee 1992). The Federation felt that for the policy goals to be achieved, it would entail a number of strategies and measures to be taken, namely, destroying apartheid education; implementing free and compulsory education for all children; developing literacy, numeracy and critical thinking; and building a formal education system geared towards providing scientific and technological skills (Innes Labour Briefs 1993).

In order to achieve the above measures, COSATU emphasized that the restructuring of education and training would not be effected without its input; the state rather than market forces would play a key role in planning education and training policy; and that the existing gap between formal education and vocational education had to be narrowed (Chisholm & Kgobe 1993). The Federation developed a three pronged approach to its human resources policy based on the areas of education and training; adult basic education; and development of female workers (COSATU Human Resources Committee 1992).

COSATU argued that education and training would have to be linked to economic planning. Trade unions should play a central role in the planning, implementing and monitoring of training. They also emphasised the importance of affirmative action in order to address the problem of discrimination in training on the basis of class, race and gender. They advocated paid leave to enable workers to receive education and training. They emphasised the importance of lifelong learning for all workers. "Formal schooling

should be linked to adult education and industrial training, which must in turn provide career paths for workers. Training must lead to national or industrial certificates, while skills, which workers have, should be recognized as a form of formal training" (Chisholm & Kgobe 1993:16). COSATU emphasised the need for one national system of adult basic education with national certification. They outlined a strategy of training for female workers that would enable them participate fully and more effectively in education and training programmes.

As discussions on the above matters progressed, COSATU's Participatory Project worked on the themes of integration, articulation and accreditation. With integration, adult basic education, technical and formal education would be interlinked in such a way that there was equality and maximum mobility between them. Articulation was supposed to be interlinked to integration and would ensure that what was taught in adult basic education was relevant and corresponded to what was taught in formal education. A set of competencies from which all sectors would draw would be set up. Accreditation referred to certification, which would attempt to establish equivalence across sectors (Innes Labour Briefs 1993).

COSATU's policy proposals on integrating education and training were discussed in the National Training Board (NTB). The NTB became the most important policy and political vehicle for charting the future direction of education and training systems during the CODESA negotiations. "Among the competing policy initiatives under way in expectation of a change of government, it was the NTB's National Training Strategy Initiative which contained the nucleus of the idea of an integrated system of education and training. The idea of the National Qualifications Framework (NQF) was born" (Jansen 2001:15). By 1993, discussions and meetings between COSATU and NTB had become the mainstream of policy deliberation and political negotiation for the new education and training system that was to emerge in official education policy after 1994.

However, it became difficult to fit schooling in the COSATU model on education and training and since the ANC came into the picture after COSATU had outlined the model,

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there were suggestions of using pilot projects to test the way the new education and training system would work. The suggestions were discussed in the NETF by the National Education Conference (NEC) which was a broad based constituency of education stakeholders aligned to the ANC, to take education issues into negotiation forums. The ANC did not have strong representation in the NETF and their recommendations were not taken. Another vehicle that was established to provide educational representation and to bring education and labour into closer cooperation was the Inter-Ministerial Working Group (Innes Labour Briefs 1994). This group became the drafting committee of the South African Qualifications Authority (SAQA) which was designed to create through the NQF, a single coordinated system of education and training (Jansen 2001).

However, integration of education and training was not achieved, and the new democratic government established two ministries in 1994 - one for education and another for labour - as opposed to a single ministry as some of the major proponents had expected.

3.5.2.3 SADTU

Although SADTU was not such a powerful player in the policy game at that time, it had by 1993 developed positions on the main policy issues in education. Unlike many of the other policy statements that emerged during the transition period, SADTU's vision was strongly rooted in the values and principles of People's Education, and emphasised changes in curriculum, methodology, language policy, system and structure of schooling, resources and evaluation of both learners and educators. The Union advocated 13 years of free and compulsory schooling, including a year of pre-school. SADTU felt that the state had to bear the primary responsibility of financing and providing education. The same stand was taken by COSATU.

In contrast to NEPI and the ANC, SADTU proposed a major increase in the overall education budget. It shared with NEPI and the ANC a commitment to redress and redistribute resources to areas of greatest need, but also carried a more radical view of what should be done with private schools (SADTU 1993). Neither NEPI nor the ANC

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saw the abolition of private schools as a reality. SADTU proposed that state subsidies to private schools should be drastically reduced and that former 'Model C' schools should revert to being state schools.

There was more militancy and radicalism in most of SADTU's proposals, which called for drastic changes in the education system. This trend continued after the establishment of the new democratic government where, in some instances, SADTU felt that the pace of transformation in the education sector was too slow and that the poor people who sacrificed most to fight for the freedom and democracy in the country had been let down by the government.

3.5.3 The Apartheid State

In 1991, the government released the Education Renewal Strategy (ERS), which presented the National Party's own agenda and negotiating platform (Lemmer 1991; Bennell 1992). ERS presented short and medium term managerial solutions to some of the existing educational problems (Lemmer 1991). It also made long-term proposals that were debated by different groups as methods of redressing the sector (Bennell 1992). It recommended non-racial regional authorities; equal education opportunities for all; free and compulsory education for all South Africans up to Standard Five (current Grade Seven); and a single new education department for all races that would make satisfactory allowances for the accommodation of diversity; restructuring and upgrading of standards in tertiary education and the use of distance education in teacher training (ERS 1991; Lemmer 1991).

The proposals of ERS departed to some extent from the prevailing system of apartheid education (Wolpe 1995; Lemmer 1991). Race was not going to feature within the new educational dispensation; recommendation of a single ministry of education was in accordance with the demands of a wide spectrum of political and community organisations. The difference between its proposals and those developed by NEPI showed the main constitutional difference between the National Party and the ANC. The latter advocated the concentration of state power for redistribution, while the former preferred

to decentralise control to public services serving primarily whites (Murray 1995). This strategy allowed it to devolve power to governing bodies in white schools, which were able to introduce admission policies and raise fees above what many of those seeking access could afford.

However, the National party policy treated education as an essentially technical problem, paying little attention to political demands or redress of historical imbalances. It was not specific in terms of financial provision or means of implementation. The fact that it recommended free and compulsory education up to Standard Five (Grade Seven) meant that many black people would be unable to continue beyond that level as they would not be able to pay for their own schooling (the Education Policy Unit, University of Witwatersrand 1993).

Another proposal, "A Curriculum Model for South Africa (CUMSA)" emerged after the release of ERS. The CUMSA proposal resulted from fact-finding missions and trips overseas by two senior officials in the apartheid government to investigate education reform. According to Jansen:

> One of the most important findings of these officials was the utility of 'competencies' as constituting the framework for reforming apartheid education. The trend in much of Europe during the early 1990s was to reconstitute vocationalism within a progressive understanding of education and the labour market. Vocational training linked to employment in a changing labour market was couched in a discourse of relevance, progression and opportunity. The new vocationalism advanced high skill, high employment rather than the menial tasks associated with its earlier form (Jansen 2001:19).

Following their findings, the two government officials conducted a review of more than 100 different school syllabi used in South Africa at that time with the aim of addressing the issue of putting too much emphasis on content while neglecting other aspects. The outcome of the review was the proposal for a streamlined curriculum built around competencies. It was a sophisticated proposal that was highly criticised by National Party leadership because it allocated lesser time for religious education while consolidating

syllabi under one authority.

The aim of the state during this period was to retain as much as possible the privileges of its constituencies. Hence ideas advanced by the state and its constituencies in the initiatives to formulate education policies reflected those values and ideology that the apartheid state wanted to maintain. The state was able to use its own instruments and other forums to exert most influence and modify ideas advanced by its adversaries. This is confirmed by institutional and group approaches which postulate how individuals, groups, classes and states pursue their specific interests in the context of existing formal organisational rules and norms (Howlett & Ramesh 1995; John 1999). The apartheid state used its power and state machinery to introduce changes and restructure education in line with its own ideas advanced in ERS. This is evident in the changes introduced at the school level that were discussed in detail in the first section of this Chapter. Effecting changes and restructuring on the eve of the establishment of new democratic government would enable the apartheid state to bargain and retain some of the changes that it had initiated and implemented.

3.5.4 Business Community

In the early 1990s, business influenced education through the Urban Foundation. The Urban Foundation and the Anglo American Chairman's Fund provided funding which supported the development of entrepreneurship in education, vocational training and infrastructure for school buildings (Jansen 2001). Business continued to exert greater influence when the Urban Foundation established the Education Policy and Systems Change Unit in 1992. Through its key leading education experts, the Education Policy and Systems Change Unit developed a media strategy for its policy positions. Its experts wrote and commissioned key policy papers around which public debate and discussion were organized. Consequently, the Education Policy and Systems Change Unit experts participated in ANC commissioned work, among them NEPI where they were able to exert greater influence on education policy thinking within the ANC. Reorganisation of the Urban Foundation led to the establishment of the National Business Initiative which is currently providing funding for Further Education and Training colleges and other

skills training institutions.

In addition to providing funding to the Urban Foundation, the corporate sector established the Private Sector Education Council that regularly produced position papers as part of its attempt to influence national education policy thinking before 1994. The Council emphasised technical and vocational education; expressed concern about the lack of competition in the education system; and called for realignment of education with the needs of a modern economy. The influence of the business sector in education change before 1994 was further affirmed through its representation in the National Training Board. A member of GENCOR representing employers and business in the Board played a major role in the development of the National Qualifications Framework that mostly addressed the training needs of labour. The representative from GENCOR was well placed and knowledgeable because he had studied in New Zealand and had encountered the concept of the NQF during that time.

Business was also represented in the Joint Education Trust (JET) which, through its alliance with unions and political parties, determined funding priorities for education. JET was established in 1992 by a consortium of businesses and other organisations. Its formation was spearheaded by the Private Sector Initiative (PSI), a collaboration of 20 leading South African companies. The PSI joined forces with community organisations, including leading political parties, labour unions, business and other education organisations to improve the quality of education and to transform the system into one more equitable for all South African citizens. An amount of 500 million Rand was allocated for education development by the corporate partners and was administered by JET when it was founded in 1992 (the Education Policy Unit, University of Witwatersrand 1994). Among JET founding organisations were AECI Amplats Limited, Anglo American Limited, Barloworld Limited, Billiton, C. G. Smith Limited, COSATU, FABCOS, First National Bank, Johnnic Limited, the National African Federated Chamber of Commerce and Industry (NAFCOC), Reunert Limited, South African Breweries, Sanlam, Sasol, Southern Life Association Limited, Standard Bank of South Africa, the IFP, the ANC, AZAPO, PAC, SADTU and the National Council of Trade

Unions (NACTU). Among the major objectives of JET were to improve mathematics and science education, vocational education and training and teacher effectiveness, and enhance educational efficiency.

3.5.5 *The National Education and Training Forum (NETF)*

The NETF, as was discussed earlier, exerted influence on the education policy agenda and policy options and proposals. NETF consisted of representatives of stakeholders in education who were defined as central government, the national education conference, business, representatives from homelands, the training sector, universities, parents, church organizations and NGOs. It was almost exclusively concerned with macro-systems issues and most of its members engaged in liberal modern forms of policy analysis (NETF Documentation 1993, 1994, and 1995). Evidently, this weakened the radical content of the NECC, National Education Conference and other mass democratic movements. Due to its composition, NETF was dominated by government and business who had active role in the proceedings. However, students, teachers, workers, parents and other employed or unemployed persons did not have equal role as compared to that of the government and the business sector (Chisholm & Fuller 1996).

As stated above, the NETF only managed to deal with short term issues (suspension of examination fees) but did not make much headway with restructuring due to a number of factors, namely; lack of legal status, the reluctance of the government to co-operate in providing information and planning of change, and lack of organisational capacity - office space, full time management and clear decision making process (the Education Policy Unit University of Witwatersrand 1994; Jansen et. al 2001). Regarding curriculum reform the NETF offered a temporary solution, that is, to cleanse the curriculum of offensive elements, such as racist and sexist language (Jansen 1996; NETF documentation 1993 and 1994). Time frames were short, thus limiting involvement and participation. As Jansen (1996) observes, the outcome was to "sanitise" the syllabus symbolically, often focusing on making pronouns gender neutral.

3.5.6   International Community

The national players identified above were not the only actors in the theatre of educational transformation before 1994 elections. Donor agencies, some in collaboration with national organisations, institutions, and individuals, also played a significant role. One aspect that came out of initiatives by donor agencies was that the ANC was very much involved and behind those activities. It was also revealed that, like in all other sectors, there was much international influence on the transformation of education system in South Africa (Landsberg 1994).

The World Bank organised and funded workshops on technical and vocational education; and finance and governance in education. It also had several technical teams assessing training and other needs of local researchers engaged in NEPI project (CEPD 1993). In 1993, one of the scheduled workshops on transition was hosted jointly by CEPD and the Education Policy and Systems Change Unit. After the workshop a consultancy report was produced by representatives from the ANC and the Education Policy and Systems Change Unit on Education Planning and System Management. On the basis of this report, the Education Policy Unit, University of Witwatersrand provided the following criticisms:

> The World Bank's sector assessment of educational planning and management in South Africa has gone to great lengths to quantify the gaps in the existing system and the staffing and training needs of a new education bureaucracy. What that quantitative exercise cannot do is address the qualitative issues in the structure and functions of the supervisory services. The staffing ratios it has generated in relation to pupil enrolments and professional staff may be useful norms for a technical manpower planning exercise. Such an exercise has the effect of homogenizing variations for the purposes of taxonomy. However, the proposals for the numbers to be trained and the rationale for their distribution needs to be balanced by a much more thorough analysis of the quality of delivery across the system. The paucity of specific skills (especially in specialist subjects) and the skewed distribution of them across the system require another kind of policy approach (The Education Policy Unit, University of Witwatersrand 1993).

The United States Agency for International Development (USAID) exerted major influence and provided most funding in education policy initiatives. The early influence

was established through extensive funding of NGOs, a number of them with well-established anti-apartheid credentials. Jansen (2001:20-21) outlines the influence of USAID on education policy as:

- commissioning of the standard sector assessments associated with its operations in much of the world. The primary education sector assessment provided critical information on the status of primary education in South Africa. The tertiary education sector assessment fulfilled a similar function for higher education, providing information for policy and planning which was in short supply during the early part of the decade. In doing the studies on the education sector, USAID was able to bring American expertise alongside South African participants.

- bringing in cutting edge technologies for recasting education policy thinking in the democratic movement. The Research Triangle Institute (RTI) was contracted to work with Education Foundation to generate and apply policy-modelling tools to project educational needs and finance in the future. The APEX model projected enrolment patterns in the future and different financing scenarios for different projections. These sophisticated computer technologies were presented to all key education and political stakeholders in education as a tool for planning provision after apartheid.

- direct funding of ANC and other leaders, often through the United States Information Service, on study visits to the United States to examine education policy and practice in American schools and universities. Examples included the studies of American college system, the provision of education for disadvantaged young children and science and mathematics education in high schools. The USAID funded Tertiary Education Project facilitated such visits to the United States by South African education and political leaders in the first half of the decade.

The International Development Research Centre (IDRC) of Canada sponsored workshops on science and technology policy for a democratic South Africa in 1992 (CEPD 1993). The exercise was undertaken at the request of the ANC through its Research Department. The report produced was highly critical of the existing system of science and technology research and development, and a Science and Technology Forum consisting of all statutory science and research development bodies and representatives of the mass democratic movement was established to examine the restructuring of science and technology research and development in the country (Chisholm & Kgobe 1993).

A number of donor agencies provided funds to organisations, institutions and individuals to enable them to conduct policy analysis and education policy research for advocacy

purposes. Among them the INTERFUND Consortium provided funding for university based Education Policy Units which played a key role in staffing NEPI research groups. The Education Policy Units saw themselves as extensions of ANC education policy thinking. They were contracted by CEPD to conduct research for the ANC and mass democratic movement and also played a role in the ANC forums. The Units' research in higher education played an important role in development of higher education policy after 1994.

3.5.7   Other Initiatives

In addition to the above players, groups, institutions and organisations in different areas of education held workshops, conferences and established forums to which they put forward policy options and agenda for transforming the education system:

- In 1990, a wide spectrum of interested parties met in a conference to discuss and put forward proposals for change of the quality and structure of education. The conference was attended by commerce and industry, the alternative organisations, political groupings, independent agencies offering formal and informal education, educators and parent bodies. According to Lemmer (1991), two aspects emerged from the debate, namely, the establishment of a single ministry of education, and the equalisation of the amount of funds spent on each South African child. It was hoped that the implementation of such proposals would address inequalities in the education system.

  The outcome of the conference opened doors for more people, groupings and organisations to debate and pursue those issues; and in this regard, pressurised on the government to re-examine the education system in the country as a whole (Turner 1990). However, as more varied groups and organizations got together many compromises on salient issues and proposals were made to accommodate ideas, concerns and needs of such groups.

- In 1990, Mr. Nelson Mandela initiated direct negotiation with the apartheid

government over the ongoing education crisis. The Mandela delegation sought to address both the immediate crisis and the long term restructuring of the education system. Most of the needs identified included many demands put forward by the NECC. Emphasis was placed on timely delivery of textbooks, an emergency fund to address historical backlogs of classroom construction, access to resources in white schools and more efficient administration of supplementary examinations (Pillay 1992).

At a broader level, the delegation sought to stop government from pressing ahead with its own agenda, including the semi privatisation of white schools, and to involve black communities meaningfully in decision-making (Essop 1992). However, a Joint Working Group established to monitor the situation failed to prevent unilateral restructuring of the education system by the government. As restructuring went ahead, some negotiations also took place, resulting in compromises on a number of issues that were crucial for transforming the education sector.

- A Multi Faith Religious Education Forum held a meeting with members of the ANC on 17 February 1994 to discuss issues of religion in public education. The forum submitted proposals for a new national policy that would overcome the negative use of religion in education and provide for a positive approach in accordance with the Constitution (the Education Policy Unit, University of Witwatersrand 1994).

The proposals sought to distinguish between two disciplines: Studies in Religion which is provided by all the major religions of South Africa; and Religious Education which allows pupils to examine their own religion in an educational way, enhancing awareness of religious beliefs and traditions of their fellow pupils and relevance of religious values to their life experiences. This was to be done in a way that accorded respect and equal consideration to all religions.

A number of conclusions can be drawn from policy initiatives in education by different groups before 1994 elections. First the ideas and options advanced by each group or constituency reflected their interests in education in the new government. As a result the constituencies driving the education policy agenda including its content changed substantially as groups, institutions and organisations came in with different and often competing ideas. The NECC which advocated radical values and beliefs of People's Education lost its support and its power dwindled as the politics of negotiation and the accompanied compromises took place with the participation of the ANC and other high level players in the mass democratic movement. This means actors like COSAS, SASCO, PASO and others, particularly those at the local and school levels and weaker interest groups that had advocated radical ideas and policy options were marginalised. Consequently, many of the ideals and beliefs of People's Education as advanced by the NECC were either watered down or left out. According to Mokgalane & Vally:

> Earlier concepts of participatory democracy gave way to an emphasis on consultation among elite stakeholders, a process which invariably led to the dilution of policies and delays in forward movement. The emphasis on collective, organized effort among those with a common goal and vision was transmuted into a concern with reconciliation and cooperation among racial groups (Mokgalane & Vally 1996:4).

Business was interested in policy options that would transform education and redress existing imbalances to enable it to produce the required human resources and skilled manpower suitable for the needs of a modern economy. While the measure would enable people to secure viable employment, it would also be beneficial for business's competitive and changing markets. The NP produced policy options that advocated de-racialising education, decentralisation and shifting of autonomy to the school level. This was intended to ensure that its privileges were secure and maintained as shown earlier. As part of the mass democratic movement, unions advocated policy options that would enhance fundamental transformation of the education system to ensure equity and redress. However, they also came up with policy options that were geared towards serving the interests of their members, namely, the provision of skills and training.

Second, education policy proposals advanced by some of the groups in the early 1990's

were a result of "policy copying" or policy transfers which entailed adoption of policy proposals from outside (Chisholm & Fuller 1996). John (1999) observes that policy makers adopt policies from other countries and apply them to their own contexts. In such cases it is ideas that are being transferred. It was shown earlier how different constituencies, namely, labour, government, business, and so forth sent representatives to fact-finding missions in the developed world to find out policy models that could be applicable to South Africa after 1994. The adoption of policy proposals and options through policy transfers illustrate that there were a number of factors influencing policy initiatives in education by different groups. Some groups realised that the best means to address the education crisis would be by searching for, and adopting, new ideas and best practices from international experiences (Lungu 2001). According to De Clercq (1998) policy transfer could have limitations if certain factors are not taken into consideration:

> The new policy proposals borrowed ideas from the international comparative experience and policy literature which they wove into the South African local concerns of redress and equity. They borrowed more from the advanced industrial countries, including Australia, and tended to ignore the instructive experiences from societies in transition with similar socio-political democratic agendas and aspirations. The problem with this import is that it was often done in a selective advocacy type way, without offering a critical assessment of these foreign policy models, even from within their own context. The political and socio-economic conditions of these countries and the problems the policy models sought to address were never explained (de Clercq 1998:144).

Another factor in policy transfer is the fact that policy makers and groups would seek to transfer ideas that are likely to favour their interests. This was discussed in above sections in the case of labour, the NP government and business.

While the above discussion and developments show the importance of ideas in the policy process, it is assumed that ideas together with interests bind together groups and individuals in a policy sector thus enabling them to exert influence on the process. It is evident from the above discussion that ideas played an important role in the formulation of policy options and proposals advanced by different groups before the 1994 elections. However, it is also clear that each group that advanced policy options or proposals had

certain interests that were reflected in the options or proposals it advocated. It has also shown that changes in the political environment lead to loss of prominence of ideas advanced by certain groups and also dwindling influence, loss of status and importance among those groups, particularly if they had no power in the government.

This was the case in the early 1990s with the different groups that were organised under the mass democratic movement and the NECC. The negotiation process entailed compromises that led to watering down or abandoning many of the radical ideas of the mass democratic movement and elements of popular education advanced by the NECC. It also removed initiative for change from school based actors and weaker interest groups, giving way to high level players and the top elite in the ANC. The following chapter looks at transformation initiatives in education after the 1994 elections by examining the following aspects: the structures established to develop and implement policies; the education policy formulation process; and the type of policies developed to transform the education sector.

CHAPTER IV

STRUCTURES, POLICIES AND THEIR FORMULATION AFTER 1994

This chapter is divided into three parts. The first part examines the structures established in the education sector at different levels, including the functions and powers granted to the respective levels, their relationships and how they have affected the formulation and implementation of policies and the goals of transformation. The second part looks at education policy development processes at national and provincial levels. It examines how the process takes place and identifies the structures involved. It shows the different groups and constituencies involved with the intention of revealing those that play a dominant role and those that are excluded in the process. The third part analyses some of the policies that have emerged from the transformation process and identifies their limitations.

PART I

The Establishment of Structures, Functions and Powers

With the establishment of the democratic government after 1994 elections, education became a right for all South African citizens as stipulated in the Constitution. The Bill of Rights (Chapter Two of the Constitution of the Republic of South Africa 1996) stipulates:

29.   (1)   everyone has the right -

    (a)   to a basic education, including adult basic education; and

    (b)   to further education, which the state, through reasonable measures, must make progressively available and accessible.

    (2)   Everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, the state must consider all reasonable

educational alternatives, including single medium institutions taking into account -

(a)   equity;

(b)   practicability; and

(c)   the need to redress the results of past racially discriminatory laws and practices.

There are also other aspects of the Bill of Rights which have a direct bearing on the right to education. The responsibility to protect: (i) the right to freedom of conscience, religion, religious observance, thought, belief and opinion (Section 15) (1) and (2); the right to freedom of expression, including freedom to receive or impart information or ideas, freedom of artistic creativity, and academic freedom and freedom of scientific research (Section 16(1)) and; the responsibility to ensure that the child's best interests are of paramount importance in every matter concerning the child (Section 28(2)).

As a result, the new government assumed the central responsibility of ensuring the provision of education and training. The White Paper on Education and Training set out a new philosophy of education for South Africa based on principles of equity and democracy:

> The realisation of democracy, liberty, equality, justice and peace are necessary conditions for the full pursuit and enjoyment of lifelong learning. It should be a goal of education and training to enable a democratic, free, equal, just and peaceful society to take root and prosper in our land, on the basis that all South Africans without exception share the same inalienable rights, equal citizenship and common destiny, and that all forms of bias (especially racial, ethnic and gender) are dehumanizing (Department of Education 1995:22).

Consequently, the new philosophy would necessitate "changing all aspects of the education system" (Harber 2001:5). This is also outlined in the White Paper on Education and Training:

> The letter and spirit of these rights and freedoms should inform the intellectual culture in all schools and educational institutions, and professional services in departments of education. This has unavoidable implications for curricula, textbooks, other educational materials and media programmes, teaching methods, teacher education, professional supervision and management

culture (Department of Education 1995:43).

Therefore, the crucial task was to put in place structures, measures and policies aimed at achieving what has been stated above (Department of Education 1995:10). The National Minister of Education indicated how the process of transformation was to be approached:

> Firstly, we had to transform an education and training system which had been fragmented along racial and ethnic lines, and a system that had been saturated with the racial ideology and educational doctrines of apartheid. Secondly, we had to transform a system characterised by lack of access or unequal access. Vast disparities exist between black and white provisions. Large numbers, in particular, adults, out of school youth and children of pre-school age, had little or no access to education and training. Thirdly, we had to transform a system that lacked democratic control. Parents, teachers, workers were excluded from school level decision-making process (Department of Education 1998:21).

The most crucial task was to establish properly functioning structures to facilitate the formulation and implementation of policies that would enhance effective transformation of the education sector.

4.1 Functions and Powers Granted to National and Provincial Departments of Education

The principle of cooperative governance underpins the provision of education. As discussed in Chapter I, cooperative governance is a South African phenomenon arising from the unique political settlement translated into the Constitution (Department of Education 2001). According to the Constitution, education is categorised as a 'Schedule Four' function, which means that it becomes a functional area of concurrent National and Provincial Legislative competence.

Provincial governments are empowered with executive responsibility for education (other than universities and technikons) within their provinces subject to the national government's responsibility to protect essential national interests (Constitution of the Republic of South Africa, Section 125). Provinces have full responsibility for the administration of General and Further Education (GET). In this case, provincial

legislatures may make laws on any aspect of education except those that affect universities and technikons.

The national government is responsible for higher education, namely, universities, technikons, and teachers' colleges; development of norms and standards; and the conditions of employment and service of teachers in schools and colleges. The national government has precedence over the provinces where the latter cannot perform its functions effectively or where national uniformity is required (Constitution of the Republic of South Africa 1996). The national Minister of Education determines national policy for planning, provisioning, financing, staffing, coordination, management, governance, programmes, monitoring, evaluation and the well being of the education system. Provincial governments make provincial policy within the parameters of national policies, frameworks, norms and standards.

The provincial Departments of Education have the responsibility for establishing, managing and supporting schools and other pre-tertiary educational institutions in their provinces. They are financed through the provincial budgets voted for by the provincial legislatures based on monies "largely (but not entirely) received in the form of block grants from the national government" (Pampallis 2002:6).

Although the national Minister of Education determines the parameters of the education system, the Minister's powers are circumscribed by both the Bill of Rights and constitutional provisions governing cooperative governance as stipulated in the National Education Policy Act (Department of Education 1996). The Act establishes two high level committees, namely, the Council of Education Ministers (CEM) and the Heads of Education Departments Committee (HEDCOM). CEM consist of the Minister, national Deputy Minister of Education and the nine Members of the Executive Committees (MECs) for Education in each province. HEDCOM consists of the Director General in the national Department of Education, his/her deputies, and the nine heads of the provincial Departments of Education. While CEM is responsible for policy issues, HEDCOM is responsible for matters of administration and management.

All legislation and national policies are discussed and normally agreed upon in the CEM. While the Minister is obliged to consult with the CEM on all new policy and legislation, he/she is not obliged to secure its support. In practice, however, the Minister is unlikely to make policy or propose legislation without the agreement of the CEM. The Act also obliges the Minister to consult with other stakeholders including the organised teaching profession before he/she determines national education policy (Department of Education 1996).

In addition to constitutional allocation of powers to the provinces, powers and authority has been decentralised to the school level through the South African Schools Act (SASA) of 1996. Among its provisions is the establishment of governing bodies with considerable powers in all public schools. The responsibilities and the functioning of school governing bodies has maintained and enhanced inequities and inequalities between wealthier schools and public schools that served previously disadvantaged communities. These aspects are discussed in Part III of this Chapter and in Chapter V.

4.1.1 *Problems Emerging from Powers Granted to National and Provincial Departments of Education*

A number of problems have emerged as a result of the functions and powers granted to provincial and national Departments of Education. Some of them were identified in Chapter I in the discussions on the powers and functions decentralised or granted to the provinces by the Constitution. While provincial governments have full executive responsibility for running provincial education systems, the National Ministry and Department of Education does not have such powers and cannot intervene except in emergencies. The White Paper on Education and Training (Notice196 of 1995) provides a distinction between the National Ministry and Department of Education as follows:

> The Ministry of Education includes the Minister of Education, the Deputy Minister of Education, advisors and administrative staff. In terms of the Constitution, a Minister is accountable personally to the President and Cabinet for the administration of his or her portfolio, and is required to

administer the portfolio in accordance with the policy determined by Cabinet (Department of Education 1995:7).

The White Paper defines the Department of Education as:

Part of the organisational structure of the public service, which is constitutionally required to execute policies of the government of the day in the performance of its administrative functions. The Department of Education is headed by the Director–General, who is responsible for the efficient management and administration of the Department, and is accountable to parliament for the funds voted to the Department in the budget. The Director-General is accountable to the Minister for the execution of policy, and in practice also makes available the professional resources of the Department for the development of policy as directed by the Minister (Department of Education 1995:7).

The National Minister and Department can only exert leadership and influence, consult and give advice, and by agreement (in CEM or HEDCOM), collaborate or provide technical services to assist provincial departments (Department of Education 1998). The National Department of Education has no power under the Constitution to determine provincial education budgets. As stated in Chapter I, this power is vested in provincial governments and legislatures subject to the allocations of the provincial share of revenue by the national government. Although the National Minister of Education is empowered to establish policy for planning, financing and staffing, he/she is not empowered to make budgetary allocations in order to give effect to such policy frameworks, norms and standards. In the same vein, provincial Departments are obliged to undertake certain expenditures that have not been budgeted for in order to implement the new norms and standards established by the national Department. This implies that provincial Departments may have to abandon priority programmes in order to fund and implement new norms and standards. They could also use their own discretion to implement only certain but not all aspects of those new norms and standards, rendering some of the policies symbolic. According to EduSource:

The national ANC has been unable to cope with the political independence and sometimes 'waywardness' of the provinces. Due to inadequacy of resources to implement transformation

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programmes in education and confusion on the arrangements, powers and functioning of structures, some provinces have not necessarily stuck to directives from the national level and have implemented policies selectively. This has also been evident in the provinces that are not controlled by ANC (EduSource 1997).

The effects of lack of proper allocation of power and devolution of functions between national and provincial Departments of Education were identified by a senior management member from the national Department of Education at a National Policy Review Conference on Education and Training:

> It needs to be pointed out that the current arrangement caused tensions and unevenness in the implementation of our transformation education policies, and in particular the preparedness of our provinces to implement Curriculum 2005. This arrangement also constrained the intervention of the National Ministry in ensuring that resources allocated to provinces for education are used for their intended purposes. The competency of provincial governments in determining their budgetary priorities have had negative effects on education and therefore education policies in some instances became unfunded mandates (Education Policy Unit, University of Witwatersrand 1998:25).

The Minister of Education, acting under government mandates, has approved national guideline agreements reached in the Education Labour Relations Council with respect to the provision of educators in provincial systems. However, funding to cover such agreements is dependent on provincial budget decisions. Initially, such decisions had adverse effects on the implementation of programmes by provincial Departments of Education. This is especially in respect to situations where additional funds had not been budgeted to cover salary increment agreements that had been reached at the national level. As stated above, the national Department has attempted to address the problem by inviting representatives of provincial Departments of Education in the salary negotiation forums (Pampallis 2002).

According to the national Department of Education, the "establishment of decentralised governance at the provincial level has been one of the most complex areas of education transformation. Of particular concern has been the constrained ability of provinces to

apply national norms based on principles of equity and redress because of organisational, financial and service delivery limitations" (Department of Education 2001:14). Harber observed:

> It became clear during the first parliament (1994–1999) that in practice there is considerable ambiguity and lack of clarity about the roles of the two levels of government. There are therefore regular disagreements and also regular criticisms of some provinces' inability to deliver national education policy. The issue of right sizing and the redeployment of teachers is a case in point. The Minister of Education's quarterly report to parliament at the end of 1999, for example, focused strongly on the provinces and signalled a new intention to intervene more strongly in the future in order to make the provinces function more effectively (Harber 2001:12).

The realisation that national education policies were not being adequately implemented in the provinces led the national Department of Education shift its focus from policy formulation to planning for implementation. A number of regulations were issued and mechanisms developed to establish procedural uniformity across provinces. Despite these measures, setbacks in the implementation of education policy persisted revealing the complexity of the system and inadequate capacity. The national government 'tightened the screws' in order to ensure proper implementation of policies. It allowed less scope for provincial departments to determine and advance their own priorities. The Eastern Cape Socio-Economic Consultative Council (2001) provides an example of the system of conditional grant funding, which locked the non-personnel expenditure of the Eastern Cape Department of Education into nationally determined policy priorities. Conditional grants are usually made on the recommendation of the national Minister and administered through the national Departments. In this way, the Department of Education is in a position to influence at least some of the provincial education expenditure. However, a large proportion of the conditional grants provide for improvements in public service salaries and conditions which are negotiated after the beginning of the financial year and therefore cannot be used at the discretion of the national Department of Education (Ajam 2001).

Other measures taken to ensure proper implementation of policies by provincial Departments of Education were implemented from mid 1998 by the national Department of Education. These include the provision of support for systemic reform through:

- the provision of technical support;
- collaboration regarding provincial budgeting;
- deployment of national officials for the purpose of monitoring;
- support for provinces (particularly to review the implementation of national policies and legislation); and,
- greater accountability through regular reporting.

There have also been calls to review mechanisms to strengthen intergovernmental relations. This is currently taking place.

The above findings can be explained in a number of ways. First, the arrangement of structures and allocation of powers hindered effective communication, coordination, control and monitoring of individual actors and organisations that were involved in policy implementation. Consequently, there was no proper link and cooperation among different national and provincial structures that dealt with implementation. Capacity was lacking and financial resources inadequate; equally there was no commitment and will among some of the civil servants.

Second, the findings can also be explained by examining the role of street level bureaucrats and the effect of using discretion in policy implementation. This is one aspect which top down rational implementation model does not take into consideration and for which the model has been criticised. While we could attribute selective implementation of policies by the provincial Departments of Education to some of the above factors, it is also evident that the situation availed opportunities to street level bureaucrats to use their discretion to select the policies they preferred to implement. This worked against the goals of transformation as other interests took precedence.

Therefore, the above findings show that institutional norms and rules, and arrangements of structures constrained education policy implementation and as such, it created room

for actors to implement policies selectively. This was also exacerbated by lack of capacity, inadequate financial resources, lack of commitment and will among some of the civil servants involved.

4.2   Provincial Restructuring and Bureaucratic Reorganisation in Education

The establishment of provincial Departments of Education necessitated the creation of new structures by amalgamating the old separate apartheid structures and reorganising the bureaucracy. A task team was appointed by the national Minister of Education to facilitate the provincialisation of education. The overall goal of the team was to ensure that new provincial Departments of Education would assume functions that were previously held by a number of authorities. This was intended to conserve resources, to facilitate equity and enhance effective delivery of services and participation in the provision of education by different communities.

However, the uneven state of development between various authorities within a province and between provinces, as well as racial disparities, exerted a great impact on the process (Gordon 1997). For example, in the Free State, the task was simpler and less complicated as only three departmental structures (House of Assembly, Department of Education and Training and Qwaqwa) had to be amalgamated. In the Limpopo, the Eastern Cape and KwaZulu Natal provinces, the process was particularly difficult as overstaffed, inefficient departments of the former homelands also had to be amalgamated with the Departments of House of Assembly, Education and Training, and House of Delegates. This exercise took longer to complete compared to the other provinces which did not have similar structures. The three provinces, which are also among the poorest in the country, faced more problems of delivery and implementation of education programmes.

The 1st of April 1995 marked the formal end of the 19 racially based education departments and the establishment of a single national Department and nine provincial Departments of Education. By the end of 1995, all provinces had established administrative structures, namely, regions and districts, and delegated them with responsibilities. The provincial head office was charged with the responsibilities of policy implementation, allocation of posts, finances and personnel while districts were to

provide support and provisioning to schools. In many of the provinces reorganisation of the bureaucracy took two phases. The first phase was carried out in 1994 –1998, and the second from 1999.

4.2.1   Restructuring and Reorganisation of Bureaucracy 1994 - 1998

Reorganisation during this period entailed changing the way the bureaucracy conducted their responsibilities and the adoption of a flatter organisational structure to promote efficient and responsive service delivery (de Clercq 2002; Wooldridge and Cranko 1995). The task of changing the way bureaucracies conducted their business entailed the promotion of values and ethos that were in line with the new democratic social order. This was done by challenging existing hierarchical, traditional and bureaucratic arrangements that existed by introducing more participatory, transparent and consultative departmental, managerial and policy practices which included provision of support and capacity building. As agreed in the negotiation process (through the sunset clause), most members of the old bureaucracy were retained. Interviews with government officials showed that members who served in the apartheid government were better equipped in terms of generic administrative processes and procedures but not so much in transformative participatory management styles. This was also admitted by an official who served in the old apartheid government and was later absorbed by the new government after the 1994 elections. He stated:

> *Some of us had better experience than many of the new officials in the democratic government but only in relation to the procedures like procurement, budget planning, tendering procedures etc. We were also familiar with management styles practised by the departments we came from. We did not have experience with the new management styles and the new legislations put forward by the new government since they were not similar to what was advocated and practised in our former departments. So we were also struggling to cope since we had to learn some of the things (Respondent: official who served in the apartheid government).*

Therefore, restructuring of the bureaucracy entailed training all civil servants, that is, both the new and old including those that served in the apartheid government. Interviews with senior government officials at the national and provincial levels showed that all old

and new civil servants were trained and oriented in the new participatory management and consultative styles and new policies. However, it was acknowledged that some of the officials who served in the apartheid government were not willing, or could not easily, adapt to the new approach and orientation, a factor which affected the process of transformation. However, some of the officials who served in the apartheid government contended that many of them continued using old statutes and legislation because of delays in issuing new ones. They admitted that this practice led to problems in putting into effect the new management systems including the formulation and implementation of policies and programmes. However, the old statutes and legislation were withdrawn as soon as new ones were adopted.

New civil servants, many of them from the former liberation movements, were appointed to some of the senior positions and were charged with the responsibility of training and orienting all civil servants in effecting the new changes. Interviews with officials from the national and provincial Departments of Education revealed that the actions of senior management were challenged and sabotaged by forces and interests from within and outside the bureaucracy, in particular, from among those that had served in the apartheid government. This was also confirmed by McLennan (2000) and de Clercq (2002) who observed that sabotage and challenges resulted in some of the new senior management (most of whom had no capacity and experience) losing direction and control or not being able to exert their power and authority.

Writing about curriculum transformation, Jansen described the characteristic and behaviour of some of the members of the bureaucracy in the Departments of Education as follows:

> In this bureaucracy, apartheid order bureaucrats worked side by side with new appointments from the liberation movement and its allies, the latter lacking administrative expertise to maintain operational systems, with the former lacking political commitment to the new demands for transforming education and curriculum. What emerged therefore, was a strong political rhetoric about curriculum transformation (by the new bureaucrats) significantly moderated by the

application of a legalistic and procedural framework (by the old bureaucrats) within which all civil servants were to behave (Jansen 1999:3).

Similarly, a senior official from the national Department of Education observed:

> Lack of true unity and commitment to non-racialism, non-ethnic administration and the problem of apartheid legacy in the bureaucracies persisted despite full amalgamation of different apartheid departments. Some of the members could not adjust to the new changes and work towards the transformation of the education system. In the eyes of many in the new government and the Ministry of Education, old networks and loyalties ran very deep and as a result they hindered real integration of work units, with stable management, and true unity of vision, mission and commitment (Department of Education 1998:34).

It is evident that there were setbacks in the transformation of education which affected the pace of its implementation. This was partly due to lack of experience and proper skills among the newly appointed senior members of the bureaucracy as well as lack of commitment by some of the officials who served in the apartheid government.

Inefficiencies within the bureaucracy could also be attributed to other factors. Many of the newly chosen members of the bureaucracy, especially those at the top echelons, have had very little or no training in managing the new organisations. They also had limited experience in running large public service systems. During that time, there were attempts to discard dead wood and those who did not support change by providing voluntary severance packages. This measure was also taken in order to rationalise and streamline the bureaucracy at both national and provincial Departments of Education (Gordon 1997; Eastern Cape Socio-Economic Consultative Council 2001). The outcome backfired, as many of those who opted for severance packages were the most qualified personnel who left and joined the private sector. This had negative effects on the national and provincial Departments of Education. Provincial Departments of Education were left with many inexperienced and inadequately qualified civil servants in many sections and divisions. It also opened the doors for maladministration, corruption and financial embezzlement (EduSource 1998; Eastern Cape Socio- Economic Consultative Council 2001).

A provincial review was conducted in 1997 by a 15 member audit team under Paseka Ncholo the then Director General of Department of Public Service and Administration (EduSource 1998). The team found that many new policies were set at national level without due consideration for the organisational, financial and service implications to the provinces. For instance, the new Schools Act required members of school governing bodies to receive training. However, this was not budgeted for and provinces had difficulties in finding resources for this activity. Similarly, although technology education is part of Curriculum 2005, some provinces had no resources for schools, no training programmes for teachers, and no strategies were in place for its implementation. There was also lack of communication, financial controls and monitoring which resulted in over-expenditure in eight of the nine provinces. Most provinces had no qualified financial managers and this left personnel without proper financial management training and skills to administer budgets worth billions of rand. The team also found that in some of the provinces there was no clear differentiation between roles and responsibilities of political leadership and those of the administration. This caused a lot of tension between director generals/permanent secretaries and MECs in four of the provinces.

Other commissioned reports and public audit reviews expressed concern about poor management systems and human resources systems, lack of strategic provincial managerial decision making, mismanagement and corruption by senior officials (de Clercq 2001). The reviews also raised concern that most provincial departments operated on a crisis management mode without proper strategic direction (Education Policy Unit, University of Witwatersrand 1998).

The above findings on the first restructuring of the bureaucracy and the provincial reviews reveal similar trends as those discussed earlier in Section 4.1.1. There was lack of coordination, communication, control and monitoring of different structures involved in the implementation of policies particularly within national and provincial structures. There was also lack of strategic planning and policy direction among the provinces. The new policies were formulated at the national level without taking into consideration provision of financial and other resources that are critical for their implementation. There

was a shortage of skilled human resources and many of those in the senior management lacked the necessary experience. At the same time, there was no commitment among some of the civil servants. All these factors affected adversely the implementation of transformation agenda in education.

We can conclude from the above findings that the arrangements and functioning of institutional structures, inadequate financial and human resources, lack of capacity, commitment and will among implementers, are some of the factors that constrain or affect policy implementation. The second bureaucratic restructuring entailed the adoption of elements of new managerialism, different policy delivery mixes, and bottom up model of policy implementation. These aspects were discussed in detail in Chapter II.

4.2.2 *Restructuring and Reorganisation of Bureaucracy 1999 - 2002*

As a result of the findings from the different reviews, provincial Departments of Education adopted a strategic management approach following recommendations from the Medium Term Expenditure Framework (METF). According to de Clercq:

> The METF recommended the use of organisational tools to link departmental budget and allocation of resources and expenditures to strategic objectives, programme targets, planning and performance measurements which were to be monitored and used for organisational learning. The Public Finance Management Act of 1999 made heads of Department and senior officials accountable for performing their service objectives (de Clercq 2002:9).

Therefore, the second reorganisation adopted elements of the new public managerialist organisational approach, that is, managerial techniques from the private sector to streamline operations and improve performance by putting more emphasis on outcomes. The adoption of new managerialism could also be viewed as a means of increasing the capacity of the national government to enhance its control and monitoring of provincial departments. This would ensure that provinces maintain economic efficiency and effectiveness in performing their functions including transformation of the education sector. (Education Policy Unit, University of Witwatersrand 1998; Department of Education 2001; Oldfield 2001).

According to the new managerialism, a shift towards decentralisation to districts and lower levels enhances differentiation among public organisations, enabling them become more focused on single policies or issues (Peters and Wright 1996). It is contended that the shift of delivery to lower levels has to be viewed in the context of a wider process of post-Fordism in modern society where Weberian/Taylorist hierarchy is giving way to less bureaucratic, flatter, more fragmented structures, and where public sector organisations are run the same way as business organisations (Burns et. al. 1994; Peters and Wright 1996). Burns et. al. observes:

> Our vision of a reformed public service seeks to replace complex bureaucracies with far more internally devolved structures. Within the context of a local authority, internal devolution gives service managers and staff the power to deliver and simultaneously frees the centre from absorption in administrative detail. In place of departmental hierarchies a new kind of organisation emerges in which there is a strong but lean centre with an outer ring devolved service delivery units (Burns. et. al. 1994: 272).

The granting of more powers to districts is in line with 'empowerment' in the new managerialism where employees of government in the lower echelons are supposed to acquire more power and control over their own jobs. Empowerment also means greater latitude for them to make decisions and then become accountable for them (Peters and Wright 1996).

Hence, in the second bureaucratic restructuring, more administrative powers and responsibilities were decentralised to districts to enable the head office focus on coordination, monitoring, determining policy, providing leadership, support and direction to district structures in policy implementation. The head office became responsible for the formulation of strategic priorities and districts were given the role of policy implementation and provision of school support. They were required to frame their activities within the strategic priorities set by the head office. Head office collaborates with districts to budget for the programmes and activities. The funds are then allocated to the head office and districts which are required to implement the programmes and

activities to meet specified performance targets.

District officials became bureaucratically accountable to their immediate superiors in the district. However, their units' work which falls under the management structures of the head office unit has to be planned, aligned and monitored by the head office unit or directorate in charge of the programme. For example, subject advisors in the districts working on teacher in-service programme are required by their counterpart in the head office to work through their senior district management to implement some of the head office initiated programmes. At the same time, they are accountable to their district managers for their operational plans and work performance.

The above arrangement created challenges in many of the provinces. Districts complained of the head office changing agreed priority plans because of unexpected new priorities from the national Department of Education or having to attend to problems and concerns raised by politicians. Agreement on the plans means that programmes and activities have to be devised, effected, managed and monitored. However, some of the provincial Departments of Education head offices have been accused of exerting pressure on districts to push for the execution of their own programmes in order for them to meet their own plan and budgetary deadlines which are not aligned with district plans (Eastern Cape Socio- Economic Consultative Council 2001; de Clercq 2002). Hence districts are not able to meet their set goals and targets. Another issue is the role of districts in ensuring policy implementation and provision of support in schools.

The majority of educators that were interviewed felt that although districts have been given more autonomy and greater latitude in decision making, they are not performing the roles of policy implementation and provision of support to schools as required. They expressed concern that often districts transmit a large number of policies to schools for implementation without providing the necessary support like adequate training and mentoring, the required follow up and sufficient resources, materials and facilities. Among the examples identified by educators in the interviews was that they were required to implement Curriculum 2005 although there was no adequate training and the

required follow up support. There were no sufficient teaching and learning materials and other crucial resources that would be necessary to enhance effective teaching and learning. As a result, only schools with better trained teachers and adequate financial resources, sufficient teaching and learning materials and facilities were able to implement the policy as stipulated. Educators also identified the Developmental Appraisal System (DAS) which was supposed to be implemented by schools to enhance teacher development. Some of the schools that implemented the policy did it haphazardly because of lack of guidance and support. Most districts failed to provide support to the schools partly due to inadequate financial resources, lack of capacity among district officials and lack of clarity and understanding of some of the policies by district officials.

The bureaucratic and management structures oblige districts to account to provincial Departments of Education head office their compliance with procedures and also their organisational performance in terms of their plans and goals (Eastern Cape Socio-Economic Consultative Council 2001; de Clercq 2002). The performance based accountability is supposed to supplement the process based bureaucratic accountability practices. Writing about restructuring of bureaucracy in the Gauteng Department of Education (GDE) de Clercq observed:

> Balanced scorecard, strategic planning targets, activities and performance indicators are now part of the lexicon of all GDE directorates and units to indicate and reflect the importance of a culture of performance monitoring. Senior managers are appointed on a contract basis with an appraisal/performance management system in place to monitor the declared targets and performance indicators of senior managers' unit plans (de Clercq 2002:12).

While the emphasis in most provinces is on performance management and performance based accountability, the main challenge remains lack of capacity in terms of skills and the required number of human resources in most of the departmental units and districts. Given the existing weaknesses and fragility of some of the structures, there is a need to provide adequate support at all levels in order to enable the institutions improve their performance (Walker and Scott 2000; Elmore 2001).

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This period of restructuring and reorganisation saw the Provincial Departments of Education contracting out to the private sector, international organisations and NGOs from within and without the country to implement some of its planned activities and programmes in education. Outsourcing has been attributed to lack of required skills among civil servants and also the need for speedy delivery of public services (Pampallis 2004). However, there was also a belief among some of the respondents from the Department of Education, NGOs and schools that the private sector delivers better services. Therefore provision of better quality services by the private sector should not be discounted among the reasons for outsourcing, despite the fact that it has not been declared openly by the government. While delivery of crucial services in education has been accomplished through outsourcing, there have been a number of challenges. Interviews with some of the officials from the national and provincial Departments of Education revealed that due to lack of capacity there is no proper monitoring of some of the programmes and activities implemented through outsourcing. At times outsourcing has also been seen as "a waste of public resources" and a practice that "inhibits the growth of capacity and efficiency within the public service" (Pampallis 2003:424). However, this poses some dilemma given the lack of capacity and corruption that persist in the public service, the urgency for quick delivery of services, and the need to enhance the transformation agenda in education.

The above discussion shows that there was improved performance in the second restructuring and reorganisation of the bureaucracy. Decentralisation and 'empowerment' gave more latitude and power to districts to make decisions and to be accountable for them. A number of measures were taken to ensure control as the head office was given responsibilities of setting priorities. However, the provincial Departments of Education were confronted with major challenges. This was confirmed through interviews with officials from the district, provincial and national Departments of Education. Respondents from NGOs and schools contended that although there were improvements in the second reorganisation of the bureaucracy, there were also a series of limitations. The problem of coordination and how different structures relate with each other remained a continuing challenge. Another challenge concerns districts fulfilling the role of

enforcing policy implementation at the school level while neglecting the function of providing support. This has limited the effectiveness of implementing the new policies and programmes designed to enhance equity and redress in some of the schools particularly those that served the former disadvantaged areas.

As discussed in earlier sections, the National Department of Education has 'tightened the screws' by adopting measures intended to ensure more control and effective monitoring of the activities and programmes that are being implemented by the provinces to ensure that the goals of transformation are being pursued. These measures reveal contradictions and tension that exist as the central state attempts to balance centralisation and control while at the same time enhancing decentralisation to enable the provinces and other lower structures implement policies to attain transformation. Metcalfe and Richards observe:

> The mix of governmental levels of responsibility is therefore an issue which prompts the need for both centralisation on the one hand, to secure control of national finances in particular whilst, on the other requiring decentralisation in order to secure managerial benefits. Centralisation in order to decentralise, and decentralisation as mode of centralisation thus constitutes a key paradox in the allocation of responsibilities in the modern state (Metcalfe and Richards 1992).

This aspect has been explored further in Chapter V which examines education policy implementation.

4.3   Discussions Emanating from the Findings

The above challenges and setbacks show the dilemma and contradictions that emerged in the organisation and functioning of different levels and structures, as the post apartheid government attempted to restructure the education sector. As stated in Section 4.1 above, the national Ministry of Education is responsible for norms, standards and policy frameworks in education. The Ministry liaises with the Department of Finance for the education budget and has access to the Cabinet and the major teacher unions and associations. The provinces are responsible for policy implementation, service delivery and monitoring of districts. Districts are required to monitor and provide support to schools. This arrangement of systems, structures and responsibilities has created

horizontal and vertical incoherence and, at times confusion, because the centre is separated from the policy implementation sites (namely, provincial, district and school levels). The national Department intervenes and rationalises its control because of its obligation to ensure redress and equity; and also because it perceives provincial Departments of Education as lacking capacity to coordinate and deliver policy (Oldfield 2001). Similar problems of control and ineffective mechanisms of coordination also plague province-district and district school relationships.

In order to maintain control the central state has created an institutional web of incentives and disincentives partly because of the need to maintain power and authority and to make the provincial, district and school levels act in line with central state agendas for redistribution and development, and its broader macroeconomic goals. It has 'tightened the screws' over Departments by issuing a stream of regulations to ensure intervention and control. Oldfield observes:

> Resource allocations give the government, particularly the Ministry of Finance and the treasury, a tool to use as an incentive carrot to be 'developmental' or as a coercive stick to exert pressure on provinces and local districts or schools that step out of the national line. In many senses it is in the realm of finance and its administration where the dynamics and the nature of embedded autonomy in the articulation of the South African local, provincial and national states comes to the fore. This may be referred to as the 'iron fist' of the national government, sometimes cosmetically dressed as the 'kid glove' of embedded autonomy (Oldfield 2001:46).

Provinces have expressed concerns that their responsibilities and powers are being eroded and taken over by the national level. This is also supported by an article in the *City Press of 7 November 2004* which reported on a sitting of the NCOP where Premiers expressed dissatisfaction about the diminishing role and powers of the provinces. The latter "were being reduced to agencies for poverty alleviation and 'purveyors' of social grants and health services, as opposed to being catalysts for economic growth" (City Press, p.4). While the above measures are currently being addressed, lack of coordination and proper control among different structures remain a problem. In addition, there is lack of capacity at provincial, district and school levels. The magnitude of the problem differs between

and within provinces and this factor affects the attainment of the goal of attaining equity and redress and the general transformation of education. It is evident from the above discussions that the arrangements and powers allocated to institutional structures at different levels and their functioning, including lack of skilled, committed human resources, and insufficient financial resources, have constrained the implementation of education policies.

The following part examines the policy formulation process in the education sector and analyses how different structures and powers granted to them and various groups affect the process. It also analyses the type of policies that were formulated.

PART II

Education Policy Formulation

In Chapter III we outlined different groups and organisations from different backgrounds, interests, values and beliefs that contributed to education policy proposals before the 1994 elections. Most of the pre 1994 proposals formed the basis for many of the education policies for transforming the education sector. Groups, organisations and institutions continued to exert influence on the policy process and the resultant policies which were formulated to transform the education sector.

4.4   The Policy Formulation Process: What takes Place at the National Level

Initiating legislation in South Africa is the primary task of the executive. On the other hand, the legislature has to ensure that legislation initiated by the executive is "fully debated in an open public forum, that all the issues raised by the legislation are adequately addressed, the needs of citizens are properly accommodated and that appropriate changes are made" (Murray & Nijzink 2002:5).

The process of formulation of policies in education requires that national and provincial representatives from the Department of Education work as a team to generate a policy which is discussed in HEDCOM, and then passed on to CEM where it is debated and approved, rejected or amended. After approval by CEM it is presented to the Cabinet by the Minister of Education for approval as an executive policy programme. At this stage, policy implementation plans and regulations can be drawn or it can follow the legislative route to be adopted by Parliament. The entire process is outlined below. Discussions showed that it is in CEM that the most productive discussion of new legislation and policy affecting the provinces takes place. In CEM and HEDCOM and other fora where departmental officials discuss more technical matters, details of policies are tabled and provincial executives are given the opportunity to respond. It is in these fora where disagreements are also resolved. Although policy is formulated at the national level, representatives from the provincial executive are involved in the process.

The following section discusses the process in detail. The institutions that are involved in the policy formulation, their powers and the existing rules or structures were discussed in Chapter I and Part I of this chapter. Lungu (2001) observes that the South African formal policy process can be divided into two parts, namely, the White Paper process and the Legislative process.

4.4.1   The White Paper Process

The South African policy making process can be described as a White Paper process due to the great emphasis placed on formulating national policies through this type of government document (Lungu 2001). The process begins with the government putting forward its proposals in a Green Paper which is a discussion document on policy options. The Green Paper originates in the Department of the Ministry concerned (in this case the Department of Education) and it is then published to solicit comments and ideas. The Department would also brief the Parliamentary Portfolio Committee on the Green Paper. A submission date is given for receiving input from civil society. The Green Paper is usually a product of a think tank appointed by the Minister in the name of a task team or commission. Initially, the task team or commission collects information by "conducting research which includes exploring various dimensions of the policy issue, visits by think tank to different national locations and other countries and institutions abroad, consultation with other government departments and relevant stakeholders" (Lungu 2001:95).

With the inclusion of input from civil society the Green Paper forms the basis for a White Paper, which is a broad statement of intended government policy. Comments are again invited from interested parties and stakeholders. Once the inputs have been taken into account, the Minister and officials within the government Department concerned may draft Legislative proposals. At this stage the Cabinet also considers the proposals. From this stage public policies can follow either the parliamentary process (beginning with a draft bill) or go the route of an executive policy programme announced by the Minister of the national department concerned. Curriculum 2005 is an example of a policy that went

the route of the White Paper process as it was pronounced as an executive policy in 1997 (Department of Education 1997). The policy process, centres on "problem identification and definition and generating a broad consensus on policy proposals and strategies" (Lungu 2001:95). This is in line with the model proposed by Anderson (1990), Dunn (1994) and Parsons (1995) which is discussed in Section 2.3, Chapter II.

4.4.2 *The Legislative Process*

The Department of the Ministry concerned (in this case Department of Education) may require the Parliamentary Portfolio Committee to develop legislation to give effect to the new policy, particularly where the policy requires changes to existing or inherited laws. A White Paper may be gazetted as a Draft Bill for comment by a defined date, or given to certain organisations for comment. Once all comments have been considered the document is taken to the State Law Advisers who check the proposals for detail and consistency with existing legislation. Sometimes the Green and White Paper are bypassed and the process begins with legislative proposals originating in the Ministry or Department. These proposals are then tabled or introduced as a Bill in either the National Assembly or the National Council of Provinces for first reading and thereafter to the Portfolio Committee for consideration.

The Portfolio Committees consist of members of different parties. They sometimes call expert witnesses or invite submissions to help refine the bill after which it may be amended. When the Committee has approved the Bill, it goes for debate in the House in which it was tabled. After its approval, it is transmitted to the other House and the same procedure is followed. When both Houses of Parliament have passed the Bill, it goes to the President for assent, and it is then published as law. The Constitutional Court can review the law for compliance with the constitution, and if it does not, it shall be returned to Parliament for the necessary amendments. "The legislative process is essentially a policy adoption stage, while implementation and evaluation stages are responsibilities of individual departments who sponsor a bill" (Lungu 2001:95).

The Department of Education presented the outcome of the policy process as white papers; Acts of Parliament in which Portfolio Committee on Education play a decisive

role; major formal policy documents approved by the Minister of Education; and national investigations and technical developments initiated by the Department in collaboration with provincial Departments, NGOs, institutions and other state departments (Department of Education 2001).

What is outlined above is the process in which public policy is developed and the institutions or structures that are involved. The formal policy process described above is seemingly straightforward, but in reality there is a lot of contestation by different groups and constituencies at different stages of the process. Compromises made during the negotiations, including consensus seeking, have sometimes aggravated contestation as different groups seek to protect established interests (Motala & Pampallis 2001; Karlsson, McPherson and Pampallis 2001; Nzimande 2001). Examples can be drawn from the formulation of the South African Schools Act (SASA) to show how different groups with various interests put their views and ideas in the process and how those views influenced the policy outcomes.

4.4.3 Formulation of the South African Schools Act (SASA)

The SASA which shaped the control of schools in South Africa was passed by Parliament in 1996, two years after the first democratic elections. Interviews showed that it was a highly contested piece of legislation. This is so because it affected groups which had different interests and views on how the school system that was hitherto organised and managed along racial lines should be restructured. The development of the SASA was preceded by a 17 member committee (known as the Hunter Committee), appointed by the Minister of Education to conduct research and review the organisation, governance and funding of schools. The Committee visited different parts of the provinces, held consultations with various groups, government departments and other stakeholders. The Hunter Committee provided three options for funding schools (Karlsson, McPherson and Pampallis 2001; Nzimande 2001). The report was given to two international consultants to advise on funding of schools. Following the report, a policy document was produced and public discussions were conducted, after which a Draft White Paper, White Paper, Draft Bill and Bill were produced (Department of Education 1995b; 1996d). The process

also involved negotiations between the Department of Education and different constituencies, among them teacher organisations, the Department of Finance, governing bodies of Model C schools (as required by Section 247 of the Interim Constitution) and other affected groups (the Education Policy Unit, University of Witwatersrand 1996).

The need to hold negotiations with Model C school governing bodies arose from the fact that during the negotiations the NP had taken advantage of its position (as the government in power) to change the status of state aided Model C schools. This was a strategic move to ensure that the new government would be forced to enter into negotiations with governing bodies of those schools before introducing any new changes. Therefore, the formulation of the SASA obliged the Department of Education to enter into negotiations with governing bodies of Model C schools before any changes concerning their powers were made as required by Section 247 of the Interim Constitution (Karlsson, McPherson and Pampallis 2001; Mathieson 2001). Interviews with officials from the Department of Education and respondents from NGOs showed that negotiations with the governing bodies of Model C schools advantaged the latter as they were able to have many aspects and functions of their school governing bodies included in the new Bill. This is confirmed by Mathieson:

> Strong school governing bodies had also been a central demand of the ANC aligned and progressive organisations, but there was a feeling that the way in which these bodies were articulated in the South African Schools Bill that came before the Portfolio Committee was more attuned to the demands of the Model C constituency than to the ANC education policy arising out of parent, teacher, student associations. This shift in the emphasis of the South African Schools Bill, and the sense of alienation felt by the ANC aligned education organisations and intellectuals came about as the Department of Education fulfilled its obligations to Section 247 of the Constitution which required the Department to enter negotiations with Model C school governing bodies before any changes were made to their powers (Mathieson 2001:54).

Consequently, Karlsson, McPherson and Pampallis observe:

> Government continued to have discussions with and take account of the concerns of the Model C constituency throughout the policy process, through to the final drafting of the Bill for tabling in

Parliament (Karlsson, McPherson and Pampallis 2001:151).

In addition to Model C schools other groups like the NP, the Freedom Front, the Model C based South African Federation of State Aided Schools and the Afrikaans Press, were also interested in maintaining their positions (Mathieson 2001; Karlsson, McPherson and Pampallis 2001; Harber 2001). They favoured more power to be given to school governing bodies at the school level, a measure that would retain the existing privileges and positions of Model C schools and also enable the above groups to maintain their interests. The reasons why the NP (which initially supported centralisation) opted for decentralisation were outlined in Chapter I. The NP foresaw that dividing executive authority between central and provincial government would guarantee minorities of their rights and a stake in the system. Initially, the NP was able to protect its regional power base through decentralised state power when it obtained majority vote and led the Western Cape province. Chapter III showed how the NP changed the school system by ceding powers to Model C school governing bodies to maintain the interests of its constituency.

The above groups interacted through workshops and meetings to put forward their views and these were submitted to the Department of Education. Interviews held with respondents from NGOs and educators from the former Model C schools revealed that those schools held meetings where they provided input on the Bill. They also acknowledged that schools sent representatives to meetings and workshops organised by the Model C based South African Federation of State Aided Schools to provide inputs and to adopt a negotiating position on some of the provisions in the Bill. They also confirmed that informal meetings were held with the NP, the Model C based South African Federation of State Aided Schools, the Freedom Front and other groupings which had interest in maintaining the status of Model C schools. The information was used in the negotiations between the school governing bodies and the Department of Education. The same respondents stated that inputs were also submitted by some of the above groups directly to the Department of Education.

Other groups like the Freedom Front and the Afrikaans media were also interested in preserving a single media Afrikaans schools in order to maintain their values and culture (Karlsson, McPherson and Pampallis 2001; Harber 2001). Nzimande who was the Chairperson of the Portfolio Committee on Education showed how some Afrikaans speaking groups protested and petitioned to the President to address the issue of language and single medium schools. He stated:

> The matter was so contentious that it actually brought Mandela and de Klerk together for serious bilateral discussions. I recall being summoned by the President to meet a delegation of numerous Afrikaner groupings, some not even represented in Parliament, on issues related to the White Paper. We decided that the language of the White Paper could be changed and made more acceptable to these groups without giving too much ground on the actual goals we wanted to achieve. We insisted that learners retain the right to be taught in the language of their choice, making some allowance for single medium schools where it was practical (Nzimande 2001:41).

This was also confirmed in discussions held with officials from the provincial and national Departments of Education who acknowledged that petitions were made by the above groups to the Department to consider the issue of single medium schools. Some of the respondents, particularly those from NGOs, provincial and national Departments of Education felt that the media - which was at that time mostly white-owned and managed - assisted in the process by publicising and disseminating the views of the privileged groups in the debates and discussions. A respondent stated:

- *The media ensured that they avoided the main goal of the policy which was ending segregation and ensuring equity and redress in the school system; and instead focused on how the quality of education was going to be compromised as a result of dismantling the Model C schools (Respondent from NGO).*

Another respondent noted:

- *There were disappointments with both electronic and print media during the public discussions on the South African Schools Bill as they failed to educate and inform the public on crucial education policy matters regarding the Bill. They only sought to publicise sensational matters that were supposed to garner support for the retention of Model C schools (Respondent: Government Official).*

The role of media was also confirmed by Karlsson, McPherson and Pampallis who observed:

> Until the debate shifted to parliament in the second half of 1996, the average television viewer or newspaper reader could be excused for thinking that the point at issue in the restructuring of the schooling system was whether Model C schools should be abolished or not (Karlsson, McPherson and Pampallis 2001:150).

The above discussion on the role of the media confirms what has been discussed in Chapter II about critical theorists. The latter have shown how the media is able to use language and argumentation to present issues and distort meanings in order to enable powerful and preferred groups' policy proposals secure preference from the public (Foucault 1984; Bobrow & Dryzek 1987; Edelman 1988; Fisher & Forester 1993).

Interviews with respondents from the national Department of Education and NGOs showed that before the South African Schools Bill was submitted to the Portfolio Committee for public hearing and discussions, provisions in the Bill favoured Model C school governing bodies. This was attributed to compromises made by the Department of Education in the negotiations that were held with Model C school governing bodies. In the same vein, the Education Policy Unit, University of Witwatersrand observed:

> Apart from changing the ownership of schools and rescinding powers to determine admission policies, the powers and functions of governing bodies of Model C schools will remain the same as before. Even the proposal that school assets should revert to the state will be largely nominal since Model C governing bodies could not sell or use these assets for purposes which were not approved by education authorities (the Education Policy Unit, University of Witwatersrand 1996:11).

When the Bill was submitted to the Portfolio Committee, the ANC aligned groups (which felt discontented and alienated from the process when it was being handled in the Department of Education), contested the Bill. The group felt that the Bill took more into consideration the demands of Model C school governing bodies, other associated groups and the NP constituencies (Mathieson 2001; Bush et. al. 2003). The ANC aligned groups

were made up of the ANC Study Group, ANC aligned education organisations and intellectuals, Members of Parliament, COSAS and officials from the Department of Education who were members of the ANC. Members of the groups shared a common interest, namely, to see policy outcomes that would enhance democracy, equity and redress particularly among the disadvantaged groups and communities (Pampallis 2002; Mathieson 2001). Consequently, they also wanted to see reorganisation of the school system to ensure equity and redress. According to Karlsson, McPherson and Pampallis:

> The largest of the constituencies represented by the ANC and its allies (often referred to as the democratic movement) were those sectors of society that would benefit from an equitable distribution of resources. This group tended to favour a greater centralisation of power, exercised mainly at the provincial level within a strong national framework (Karlsson, McPherson and Pampallis 2001:150).

In addition to sharing common interests, each of the ANC aligned group had its own interest. For example, Mathieson (2001) observed that SADTU did not support the provision of having parents form a majority of members in school governing bodies; COSAS wanted to ensure that the Act included a provision for the establishment of learner representative councils and a code of conduct for schools.

The ANC Study Group which was the caucus of the ANC on education matters participated in holding informal discussion in a number of other education policy initiatives. The Study Group became a forum for establishing, through debate, a preferred position to be taken into the Portfolio Committee for a decision. As Nzimande, the Chairperson of the Parliamentary Portfolio Committee on Education stated: "I would actually have preferred to take these debates into the Parliamentary Portfolio Committee itself, but this was not possible given the politics of the time" (Nzimande 2001:40). The Study Group was also a means of bringing the ANC constituencies into the policy making process. It met each week prior to the Portfolio Committee sessions and all the issues were discussed thoroughly and clear positions to be taken to the Portfolio Committee agreed upon. Mathieson (2001:44) stated: "There was a general rule that ANC MPs were not supposed to participate in Portfolio Committee discussions if they

had not attended the ANC Education Study Group discussions and understood what the ANC position was on the issue".

Nzimande further elaborated:

> The Study Group was used to bring our own constituency into the policymaking process, but this included organisations not necessarily allied to the ANC. The Study Group was a mechanism, then to resolve internal differences among elements from the broad democratic movement. It is important to note that in this context the Study Group, though formally composed of about 30 members, would have different people attend its meetings at any one time depending on the issues on the table. In this way the Study group broadened participation in the policy process especially among Parliamentarians (Nzimande 2001:40).

Discussions and meetings in the Study Group brought members and individuals close together and enhanced their working relationships. One example of such a close working relationship was that the Education Portfolio Committee would not propose amendment on policy without discussing it first with the Minister of Education. Nzimande (2001:40) explained: "We would convene hearings and my researcher would give us a detailed analysis of the hearings which we would then also share with the Minister so that he knew what some of the debates and issues were around a particular policy position". Moreover, the Minister was represented in the Study Group by one of his advisers. According to Nzimande (2001:41), "This ensured that he was aware of all the issues being debated within his constituency. Hence the group worked together to ensure that they jointly influenced education policies".

Nzimande (2001:42) confirmed: "The ANC Study Group played a similar role when the South African Schools Bill was submitted to the Portfolio Committee on Education". According to Mathieson (2001), the CEPD, which was a think tank of the ANC coordinated a workshop that brought together the ANC Study Group, progressive education organisations and intellectuals, ANC Members of Parliament, officials from the Ministry and Department of Education (who are members of the ANC), teacher unions and student organisations, to examine the legislation further and provide inputs.

At the same time teachers organised marches in Johannesburg to express their dissatisfaction with the Bill and to put pressure on the Department of Education and Portfolio Committee to include some of the issues and concerns not included in SASA (the Education Policy Unit, University of Witwatersrand 1996). The above measures confirm other issues raised in Chapter II on the confinement and expansion of issues in policy formulation. Policy makers are able to use the powers and rules of institutions to confine issues in policy formulation in order to protect and maintain the interests of preferred groups or constituencies. Similarly, those challenging policies or policy proposals expand issues from experts and bureaucrats to the public arena in order to exert pressure on the policy makers to make changes (Cobb and Elder 1983; Parsons 1995). Consequently, Anderson (1990) identifies protest activity, including violence, as a means of bringing problems to the attention of policy makers or as a way of putting pressure on policy makers to address problems by putting them on the policy agenda.

Mathieson (2001:42) observed that following inputs from the workshop, including protests and challenges to SASA, suggestions and amendments were taken by ANC Study Group to be refined and presented to the Portfolio Committee hearings. These are outlined below.

4.4.3.1 <u>Representative Councils for Learners</u>
Following inputs from COSAS, which had been overlooked in the initial discussions, improvements were made on the sections on representative councils for learners; codes of conduct and school discipline.

4.4.3.2 <u>Parent Membership</u>
SADTU lobbied hard to change the formulation of membership of school governing bodies to reduce the majority of parents from an absolute to a relative majority. However, despite these contestations the issue of parent majority on school governing bodies was not amended. Karlsson, McPherson and Pampallis (2001:146) observe that this may have been "the result of pressure from the South African Federation of State Aided Schools

and parent representatives, and also because of opinion within the Education Ministry". The White Paper and the Bill proposed that parent representatives form the majority in governing bodies (Mathieson 2001; Karlsson, McPherson and Pampallis 2001). This was also supported by the Portfolio Committee on Education which believed that parents from disadvantaged communities who had been deprived from participation for a long time should be given the opportunity to do so (Nzimande 2001).

4.4.3.3 <u>School Admission Policy</u>

There was controversy as to whether school admissions policy should be a function of governing bodies. Previously Model C governing bodies had the right to control admission and exclusion of learners at their schools. In most other schools, the power over admissions policy was vested in the Education Department, although its administration was vested in school principals (Karlsson, McPherson and Pampallis 2001). The democratic movement was opposed to school governing bodies being allowed to control admissions policy for fear that the affluent communities (mainly white) would use their power to exclude poorer learners (mainly black). The same had also been expressed by the Hunter Committee which recommended that provincial authorities should make regulations on admissions policy within the framework of national norms (Department of Education 1995c). Through pressure and submissions from ANC aligned organisations, the Bill was considerably amended. However, the Act still gave school governing bodies "the right to determine admissions policy, but prohibited them from unfairly discriminating against any learners. Furthermore, it prohibited schools from administering admission tests or refusing any learner admission because his/her parents were unable to pay the fees" (Karlsson, McPherson and Pampallis 2001:156).

4.4.3.4 <u>Language Policy</u>

Language policy created controversy because neither the Hunter Committee Report nor the government's Draft White Paper mentioned who should have the power to determine the language policy of a school. However, in the Second White Paper and the Bill, the government gave such a right to school governing bodies. However, it was made clear that this power should be exercised within national and provincial policy frameworks and

it should not be used as means of discriminating learners (Education Policy Unit, University of Witwatersrand 1998; Gilmour 2001). According to Karlsson, McPherson and Pampallis (2001:156) "the inclusion of such a right for governing bodies was probably due to demands of Afrikaner parents and organisations as they considered this important". The democratic movement feared that formerly privileged schools that wanted to maintain an exclusive admissions policy might be tempted to use the power to determine language policies assigned to school governing bodies as a way of restricting admissions on racial basis (Tikly and Mabogoane 1997). This had already happened in some Afrikaans schools in small towns of Potgietersrus and Groblersdal which tried to exclude black people on the basis of language or culture in defiance of provincial education departments' directives (Gilmour 2001).

4.4.3.5 <u>Financing of Education</u>

Financing of education was contested by different constituencies. The problem that faced the Department was that state resources were not sufficient to bring all schools up to the standard that had been enjoyed by whites before 1994 (Harber 2001). If it this was to be achieved, the government would have had to increase the size of education budget or find means of using non-state funds for education. This option was not possible because the government had put more emphasis on the reduction of fiscal deficit and government departments were under pressure to reduce spending. Although education expenditure was, and remains, the largest single item in the budget after debt repayment, educational spending fell in real terms and it was unlikely to rise over the following three years (Naidoo et.al. 1998; Greenstein 1997). Hence, the Department had to adopt another financing option. Model C lobby groups and some stakeholders within the mass democratic movement had argued that charging fees would bring private resources into the school system, enabling the government to channel state resources to those schools in greatest need (Nzimande 2001; Harber 2001). This was confirmed by Nzimande (2001:42) who acknowledged that many submissions made to the task team by different stakeholders contained similar proposals. The same recommendations were made by officials from the Department of Finance in their discussions with the task team (Mathieson 2001; Nzimande 2001; Department of Education 1995).

The Department sought advice on school financing from international consultants, and on the basis of their recommendations, it opted for a system that allowed school governing bodies, with the consent of the majority of parents, to determine fees which all parents at the schools would be compelled to pay. According to Harber:

> The argument presented by the consultants was that since the government might not be able to fund the middle class schools (mainly former white schools) at the same level as before and if no other sources of funding were available it might affect the quality of education adversely. Therefore, there is likelihood that majority of parents in the middle class might opt to take their children to private schools, claiming as a justification low quality education in public schools. This would deny the public schooling system the most influential people like business people, politicians, professionals, senior public servants etc (Harber 2001:16)

Hence, the only option was to allow schools to charge fees in order to supplement state funding for their own schools. The parents would charge fees and determine its amount. Schools would not be allowed to expel learners or deny them access solely because their parents cannot afford to pay. However, schools could sue parents because of non-payment of fees (Department of Education 1996). Nzimande (2001:41) commented, "By not placing a cap on school fees, we knew that we would be allowing privileged schools to hire more teachers and thereby perpetuate a two-tier system". The Department established in 1998 Norms and Standards for School Funding, which deals with public funding of schools, exemption of parents who are unable to pay school fees and public subsidies to independent schools. This is discussed in Part III of this Chapter.

The above findings can be explained in various ways. While many other actors participated in the formulation of the SASA, the major contestation came from two policy networks. The first network consisted of the NP, the Freedom Front, the Model C based South African Federation of State Aided Schools, the Afrikaans Press and other constituencies. Their target was largely the white constituencies. The second one was made up of the ANC Study Group, ANC aligned education organisations and intellectuals, ANC Members of Parliament, COSAS and officials from the Department of

Education who were members of the ANC. Their target was mainly the black population.

The two groups could be referred to as policy networks:

- First, they were made up of groups with common interests, aspirations, values and goals and all pursued a common interest within the bigger groups.

- Second, each individual group had its own interest that was also being pursued at the same time.

- Third, both networks consisted of actors from representatives of interest groups, bureaucrats, politicians and other people in decision making positions.

- Fourth, all the actors or groups in each of the two networks are linked to each other because they share similar interests, values and goals. For example, the first network had more preference for decentralisation to ensure that existing interests are maintained. This is evident from the fact that the NP, as a government, ensured that extensive powers were granted to Model C schools before the new government was established. The second network preferred redistribution and enhancement of equity in order to redress existing imbalances brought about by the legacy of apartheid policies. Members of the second network were to be the main beneficiaries in the process.

- Fifth, there is no clear evidence as to which actor was steering the process and facilitating contact in the first policy network. In the second network, the main driver was the chairperson of the Parliamentary Portfolio Committee of Education. It is evident that the type of contacts and relationships that existed, and the strategies that were developed in influencing policies, were spearheaded by the chairperson. The relationship that existed, particularly between actors in the ANC Study Group, was not only directed at SASA but also for other policies where major contestations were envisaged.

From the findings it is evident that the relationship between different actors in both networks is not sufficient to explain the policy process. Each policy network held workshops and came up with ideas that were put forward either to the Department of Education or to the Parliamentary Portfolio Committee for Education to influence

decision making in the policy process. Consequently, the first network made use of the media to change public opinion and enlist public support. Both cases show the importance of ideas and interests in the policy process.

The second network made use of public demonstrations to make policy makers accede to their demands of changing some of the provisions in the Bill. The fact that the Department of Education had to negotiate with Model C school governing bodies as required by Section 247 of the Interim Constitution worked to the advantage of the first policy network. Often the negotiations led to compromises and as such, many ideas advanced by Model C school governing bodies were included in the Bill. The second network exerted influence when the policy moved to the political process. Although some amendments were made to the Bill following inputs from the second network, the economic situation restrained the incorporation of some of those changes, a factor which favoured the adoption of the options advanced by the first network.

4.5   Public Participation in the Policy Process

The formal policy process outlined in sections 4.4.1 and 4.4.2 and also examples drawn from the development of the SASA showed that there are a lot of avenues for public participation in policy formulation. Almost at every stage in both the White Paper and Legislative processes, there are opportunities for the public to provide comments and inputs. Manganyi (2001) states:

> Anyone who is familiar with the situation in South Africa will know that a framework, and indeed a tradition of public participation in policy development are well established and have in the case of education, been alive for several years now. The policy accountability chain is established and maintained by these formal arrangements. The important point to make in this regard is that all the education laws and policies of the first democratic government were developed through structured public participation opportunities which involved members of the public, the Cabinet, education experts, teacher organisations, as well as the Education Portfolio Committee of the two chambers of our national Parliament (Manganyi 2001:29-30).

According to the Department of Education (1998), the education policy process has been intensely consultative and participatory, involving collaborative work between the

national and provincial political office bearers and departments, other state departments, the organised teaching profession and a wide array of stakeholder bodies. Furthermore the Department states:

> This work has been conducted in the public eye, through landmark investigations by expert commissions, committees and task teams, the publication of successive draft documents for comment by the public, and extensive face to face consultations (Department of Education 1998:12).

Lungu (2001:92) provides a number of reasons for stakeholder approach to policy making adopted by the democratic government of South Africa:

- First, the long history of racial discrimination and later apartheid policies which systematically excluded some population groups from policy structures and processes, led to a strong desire in the democratic movement to create more inclusive and transparent policy processes.
- Second, the fact that South Africa was among the last of the African states to achieve majority rule meant that it had the opportunity to observe and learn from the achievements, mistakes and omissions of other African states. Returning exiles and the presence of a sizeable group of experts and scholars from Africa and other countries, brought comparative insights into the processes of governance generally and policy making in particular.
- Third, South Africa is relatively well resourced to finance and manage elaborate policy structures and processes.

There are different consultative structures and avenues for participation in policy formulation in the education sector. In earlier sections, it was stated that the policy development process usually involves creation of commissions, whose membership include representatives of different sets of stakeholders, and experts involved in the area. However, such commissions are not permanent bodies and cannot be mobilized for support during the implementation process. Moreover they include only a selected group of people, mostly those who possess skills, expertise and knowledge about the policy area. Commissions collect information and data on the specific policy from very limited places and groups, mostly urban areas and affluent people.

Other avenues of participation include political party structures and caucuses; established

statutory bodies at different levels; public hearing convened by the legislature; and parliamentary constituency offices.

4.5.1 *Participation through established Statutory Structures*

The post-apartheid government has established structures to enable people to participate in policy formulation. The National Education Policy Act obliges the Minister to consult a range of stakeholders including the organised teaching profession before he/she determines national education policy. One example is the National Education Policy Act which requires the Minister to establish an advisory body known as the National Education and Training Council to enhance public participation in the policy process (Department of Education 1996). The Council which is composed of the main stakeholders in the national education system and education experts, is required to supposed to advise the Minister on broad policy and strategies for the development of the national education system and the advancement of an integrated approach to education and training (Pampallis 2002). However, at the time of concluding this research, the Council has not been functional. Provincial Departments of Education are also required to establish Provincial, District and Local Education and Training Councils to facilitate the participation of different stakeholders in the formulation of education policies (Heckroodt 2002; Pampallis 2002).

Although all the provinces have not established the required structures, some of them, like Gauteng, Western Cape and KwaZulu Natal have active education and training councils at different levels (Heckroodt 2002). In most of these provinces the education and training councils are composed of representatives from: district education and training councils; parents of learners enrolled in schools; educators; learners; heads of institutions; principals; provincial department of education; governing bodies of public education institutions, NGOs dealing with education; business; labour; community based organisations whose core activities are education related; Education or Training Boards and Sector Education and Training Authorities (SETAS); and district managers (Heckroodt 2002). There is no provincial education and training council in place in the Eastern Cape but there are plans to establish one by the end of 2005. Although districts

have already established district education and training councils, many of them are not fully functional.

The establishment of statutory bodies for effecting participation in policy development is consistent with the ANC's policy commitment in Education and Training Framework (1994) which stated that the creation of such structures was an important condition for establishing new relationships between the state and civil society in the post apartheid era. The credibility of such bodies will depend mostly on factors such as the responsibilities and independence granted to them as well as visible qualitative input resulting from their activities. However, Heckroodt (2002:7) cautioned: "Too close association with the state could place civil society in an awkward position of being co-opted and used as mere conveyer belts for the approval and implementation of state policy".

Studies show that the composition of these bodies is heavily weighted towards ministerial appointments (Ota 1999). Their advisory role limits their influence on policy, as the Minister of Education is not duty bound to accept their advice. The process of establishing these bodies ignored differential capacities of organised civil society structures, as well as racial and gender inequities which constrain their full and effective participation. Findings have shown that many provincial education and training councils are dominated by males, whites, most affluent and highly educated representatives (Karlsson, McPherson and Pampallis 2001; Jansen 2001; Sayed 2001; Heckroodt 2002). Sayed (2001) provide examples of differential capacity observed in the formulation of SASA where the majority of the 1700 submissions received came from previously white structures which possess ample resources for policy intervention.

4.5.2   *Participation through Public Hearings convened by the Legislature*
The Constitution provides extensive institutional mechanisms for public participation in the legislature. Chapter 4 (Section 59 and 72) of the Constitution requires Parliament to facilitate public access to participate in the legislative process. Moreover, several rules of Parliament give effect to this right. Rules 240, 241 and 249 instruct portfolio and standing

committees to call public hearings and provide an opportunity for the public to comment on draft bills. However, studies have shown that not all the public is able to participate and make submissions in committee hearings. According to February:

> The vast majority of groups participating in terms of making submissions and attending public hearings to committees are limited to better resourced NGOs and private sector/business interests. These groups are well placed to interact with the complex legislative language in bills, can afford to travel to Parliament, and have the capacity to conduct research. In terms of Rule 220, one language should be used in law making, and the translation of the bill into one other. In practice, Parliament uses only English and Afrikaans respectively with few exceptions. This further compounds the marginalisation of many citizens from meaningful participation in Parliament. Their lack of full and meaningful participation could mean that legislative outcomes fail to be reflective of and responsive to the interests of those who are poor and marginalised (February 2004:19).

Inclusiveness and participation of every South African citizen in public life is a constitutional right. Participation is one of the pillars of democracy. Democracy requires constant interaction between those who govern and the people. Participation is essential in enhancing development and one strategy of mobilising people to engage in the democratic project and contribute to the improvement of their lives. Participation enables people to understand their own situation and those of others and the environment around them and in this regard, enable them to commit themselves to programmes and activities adopted in various policies. All groups, whether they are officials at the lowest levels of the ladder in government departments or industries, teachers in schools, middle class parents and the poor and illiterate parents in urban or rural areas, are capable of participating in making decisions on the type of life they want to lead, the policies they want to see in place, and how they would like to see them implemented. Therefore the need to ensure participation of all groups of people becomes essential for attaining policy objectives and goals.

Interviews held with Members of Parliament and officials from the National Department of Education confirmed the lack of participation by the poor and marginalised groups in policy formulation. The following section presents the results of focus group interviews

held with Members of Parliament and senior national Department of Education officials on public participation in the policy process in the education sector. Most respondents felt that although democracy has been achieved many of those who were marginalised or excluded by apartheid policies have not been able to participate fully in policy and decision making processes because of poverty and illiteracy. In the midst of such poverty and illiteracy, people have not been able to make their voices heard. The following are some of the comments made in the group discussions:

- *Many people from poor communities have not been able to exercise their democratic right to voice their interest and participate fully in the social, economic cultural and political activities of the society as they lack certain levels of literacy and numeracy. I am afraid at this rate Portfolio Committees might turn into lobby arenas for the educated and well resourced to the exclusion of others (Comments from respondent from the National Department of Education).*

- *I believe that many of our people who can participate in the policy process have been left out. While mechanisms for participation exist, the major problem has been availability of financial resources, to enable all people to take part. Those who are able to participate are the ones who are able to use their own means and resources (Comment from Respondent from National Department of Education).*

Manganyi (2001) raised the issue of some groups or communities being excluded from participation in the policy process because of lack of resources. He argued:

When we look at participation, the government and the legislature are guided by what one can call 'accountability necessity'. This means that questions of sustainability, affordability impact on the viability of institutions as well as intergovernmental relations need to be considered. One of the most important questions, which needed to be asked, was: how much it will cost to enhance public participation in the policy process? We discovered as we went along that the policy development process needed to be placed within the context of the government's expenditure frameworks and macroeconomic policies (Manganyi 2001:30).

Many respondents felt that the limitations of wider democratic participation highlighted above resulted in having only a small group of people providing input in the policy process. A respondent made the following comments:

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- *Sitting in the Portfolio Committee in the first five years I noticed that it was mostly the organised sectors of the country that literally took over and made sure that they used all the opportunities and avenues provided for public participation in the policy process. They made sure that they prepared themselves well most of the times with well researched information and would present very sophisticated and technical papers for our consideration. I must say that this was not the same or true of the majority of people in South Africa. I mean those from the broad democratic movement and majority of those from disadvantaged poor communities (Comments from a National Member of Parliament).*

- *Being a member of the portfolio committee on finance I am able to observe who participates fully in shaping our policies. In our hearing and public participation sessions, we could see some people coming in accompanied with their lawyers and accountants, with well-prepared inputs and arguments. These are not our common people but top executives and well off people. (Comments from a National Member of Parliament).*

The above responses confirm what Bobrow & Dryzek observed:

Large corporations, government bureaucracies, national interest groups, and professional associations are highly organised and have the resources to hire skilled and persuasive advocates. Community organisations, small businesses, and the poor typically come off worse even in a forum of formal equality of access (such as a legislative hearing, court case, project review, public hearing, or special commission) (Bobrow & Dryzek 1987:177).

Submissions to the Portfolio Committee have to be neat, legible and typed. Evidently this requirement excluded many ordinary people including teachers, parents and learners from disadvantaged communities and schools, who lack basic facilities. This concern was also raised by some of the respondents from Parliament and those from the National Department of Education.

Participation in the policy development process through political party structures and caucuses has also not being inclusive of all members and constituencies except during elections. The example of the ANC provided in the previous sections showed that it is only Members of Parliament and few other constituencies that are able to provide input to the policy process through the normal party channels. The situation is similar with most

political parties in the country (February 2004; Mathieson 2001). Most respondents felt that the vibrancy and participation in policy development by most ANC aligned organisations in pre-1994 and immediately after the first democratic elections in 1994 gave way to apathy and non-participation. Many of them attribute this to three basic factors:

- first the role of some of the ANC aligned organisations has diminished because some of the key leaders took up positions within the government and private sector, thus diminishing the capacity of their organisations to participate effectively in the policy development process.

- Second, while in government, leaders remain detached from the people and therefore it becomes difficult to mobilise their constituencies. Some respondents alluded to a drop in membership of the organisations due to availability of more avenues for political, social and economic advancement for some of the members.

- Third, financial resources that were readily available before 1994 no longer existed because donors directed their funding to government. Hence has affected input in the policy process in terms of quantity and quality. As a result, this has provided an opportunity for other interests with resources to push their preferences without much competition.

4.5.3   Participation through Parliamentary Constituency Offices

As stated in Chapter I, the choice of the electoral system was an outcome of the negotiated settlement. A closed list proportional representation system was adopted to ensure that minority and smaller parties are represented in the legislature. Members of legislature from different parties elected through proportional representation system are allocated constituencies, including offices and financial resources. They are required to work with people in their respective constituencies and ensure that the people participate in policy and developmental matters. However, the closed list proportional representation system creates problems of accountability. Because the seat is owned by a party, a situation may arise in which the elected representatives see themselves as being accountable to their party and not to voters (February 2004). This adversely affects participation and involvement of people from different constituencies in policy

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formulation and other developmental activities.

4.6 Education Policy Development and Participation in the Eastern Cape Province

4.6.1 Education Policy Development in the Eastern Cape Province

The entire process of policy formulation was outlined in sections 4.4.1 and 4.4.2. Although policy is formulated at the national level, representatives from provincial executive are involved in the process. New policies are tabled in forums of HEDCOM and CEM which consist of national and provincial Departments of Education officials, provincial MECs of Education and the national Minister of Education. Respondents from the Eastern Cape provincial Department of Education acknowledged that it is in these fora that most productive discussions and technical matters relating to new legislation and policy affecting education in the province take place. Provinces are given the opportunity to respond to concerns and most disagreements on policy issues and proposals are resolved. However, respondents from the Eastern Cape provincial Department of Education lamented that the above practice does not take place in the development of all education policies. They acknowledged at times the process is overshadowed and dictated to by the National Department of Education, including CEM and HEDCOM. Agreements reached in CEM and HEDCOM are subject to scrutiny in the NCOP. It is the NCOP that provides the opportunity for a public discussion of national policy with the provincial politicians and electorates.

4.6.2 The Role of the NCOP in Provincial Policy Development

The main function of the NCOP, as provided in the Constitution is to participate in national law making process and provide a national forum for public debate of provincial issues. In providing a forum to debate matters affecting the provinces, "the NCOP can ensure that provincial issues are aired and that provincial concerns are not marginalised or misrepresented in the national debate" (Murray and Nijzink 2002:42). Hence the NCOP passes bills that are applicable to all the provinces. The latter are not required to deal with all bills passed by Parliament as some of them fall outside their jurisdiction. Such bills, known as 'section 75 bills', are those that are passed by procedures set out in

section 75 of the Constitution. They include constitutional amendments, money bills etc. The NCOP does not have much influence over them and although they are considered, the 10 provincial delegates vote as individual members of Parliament. 'Section 76 bills' are adopted under section 76 of the Constitution and also concern provinces, and include those relating to education. In order to become law, the approval of at least five delegates of the nine provinces is required (Constitution of the Republic of South Africa, 1996).

4.6.2.1 Provincial Delegates in the NCOP

The NCOP is made up of ten delegates from each province. An additional ten members representing local government do not have voting rights but may address the NCOP and its committees on matters pertaining to local government. The Provincial delegation is headed by the Premier of the province and consists of six permanent delegates and four special delegates. The permanent delegates are appointed by the provincial legislature within 30 days of the announcement of the results of provincial election. They serve for the entire period of five years and are based in Cape Town. The four special delegates are appointed from time to time to represent the province on specific matters. They consist of the Premier or his/her nominee and three other members of the provincial legislature. Respondents from the Eastern Cape provincial legislature and the Department of Education explained how agreements in education policies are reached in the NCOP and their participation in the process. Following discussions in HEDCOM and CEM and after approval by the Cabinet, a White Paper is gazetted as 'section 76 bill' and introduced in the National Assembly. When the bill leaves the National Assembly to be discussed in the NCOP, the province sends the chairperson of the Committee on Education and the MEC for education as special delegates. The special delegates ensure that provincial delegation include the expertise necessary to decide specific matters.

After discussions in the NCOP, the bill is then taken to the Eastern Cape Provincial Legislature for public hearing and for further scrutiny by the Standing Committee in the Provincial Legislature and the provincial Department of Education. In this process the permanent delegates are supposed to return to the province, brief the relevant committees and assist in the preparation of the negotiating mandate (how provinces should cast their vote on the bill). This is also intended to provide an opportunity for the province to hold

public hearings on the bill. However, in practice this rarely happens as planned. Most often permanent delegates remain in Cape Town fully engaged in the NCOP committee work (in connection with section 75 bills) for which special delegates or direct provincial input is not necessary. When the permanent delegates are available, the time is too short to conduct effective debates and public hearings because during this time the Provincial Legislature will be holding caucus and constituency days. Provinces prepare negotiating mandates. The bill is taken back to the NCOP and provinces meet with the NCOP Select Committee where they negotiate in accordance with their mandate. This provides an opportunity for the provinces to make their own input on the bills. After this process the bill is voted on in the NCOP plenary. Provinces can either make use of the national framework without modifications, or adapt it to suit their specific provincial needs. If a province has adapted a national framework to suit its needs and environment, the process goes through the same stages or procedures as is done at the national level.

Provincial delegates cast their votes in the NCOP in accordance with the mandate of their provincial legislatures. This ensures that provinces engage with the NCOP matters and therefore strengthen the democratic process. Section 65(2) of the Constitution seeks to secure this process by requiring it to be regulated by an Act of the National Parliament. However, the Act anticipated in Section 65 has not been adopted and different provinces follow different procedures when they mandate their delegations to vote. According to Murray and Nijzink:

> It has been clearly wise to allow provinces to develop their own procedures, as their experience will ensure that the Act is attuned to the practicalities of the mandating process. But the Act must also take into account the fact that in some cases different procedures have been driven by the particular political circumstances in a province. Thus KwaZulu Natal has established a process under which a committee can confer a mandate provided that 75 per cent of the members agree. This encourages decisions that are based on provincial and not party interests and reflects sensitivity to the political needs of a province in which the party balance is very close (Murray and Nijzink 2002:50).

Interviews with some of the members of the Eastern Cape Provincial Legislature showed that even though delegates from a province may not agree with a bill they cannot vote

against it because of the mandate they receive from their provinces. In addition, they also receive a mandate from their political parties informally. A respondent cited a case where a bill was debated in the provincial legislature and a voting mandate was given to delegates. Although some of the delegates had reservations about some provisions of the bill and voiced their objection, the Provincial Legislature mandated them to vote for it. Similarly, the ANC instructed its members to vote for it. However, some months later the policy was amended to accommodate some of the provisions that were identified by the delegates.

4.6.2.2 Factors which hinder effective functioning between the NCOP and Provincial Legislatures

The decisions taken by delegations to the NCOP are determined by their provincial legislatures. However, interviews with Members of the Provincial Legislature, Executive Members of the Department of Education and information from studies conducted earlier revealed that there are challenges to the achievement of this mandate, namely:

- Many provincial members do not understand the NCOP, its benefits for the province and for the development of national policy, and its role in cooperative government. Most MPLs see themselves as provincial politicians, focused on provincial legislation and oversight of the provincial executive. In the interviews, very few provincial politicians raised issues relating to the NCOP although the NCOP work often dominates provincial programmes.

- In order to make decisions on national legislation, MPLs are supposed to follow debates, understand legislative proposals introduced in Parliament and assess their implications for the province. However, many of them lack the required skills and knowledge and essential support to engage with both national and provincial legislative matters. From the interviews it was clear that they rely on information from summaries of bills, inadequate and poor quality research and incomplete briefings in their committees.

- Many MECs pay little attention to the passage of national legislation through the NCOP. This is attributed to the fact that they assume their work is done after they have participated in policy development in HEDCOM and CEM. Moreover, they

rarely discuss the appropriate mandate with their colleagues in the Provincial Legislature. According to Murray and Nijzink:

> As it is the provincial executive that will bear responsibility for the implementation of much section seventy-six legislation, it is critical that the views of the MECs are considered by the provincial legislature when it confers mandates. Often political study groups and caucuses play the same role but when discussion is limited to these forums, democratic processes are weakened – decisions must also be discussed in public if legislatures are to fulfil their role as representative institutions (Murray and Nijzink 2002:48).

This was also confirmed in the interviews with some of the officials in the provincial Department of Education who felt that their role in the policy development process end after discussions in HEDCOM and agreement with CEM. They gave the impression that the next stage in the NCOP and Provincial Legislature does not concern them. One executive respondent stated: *"I do not think we need to concentrate much with the process in the NCOP as we have already played our part. We only have to wait for things to be formalised so that we can implement those policies"*.

- Some respondents were concerned by the fact that misunderstanding about the role of provincial delegation to the NCOP at times increases the reluctance of MECs to participate in the NCOP decision making. There are perceptions among MECs and MPLs that their participation as a team in delegation to the NCOP undermines the separation of powers that exists between the legislature and the executive. However, the two provincial branches, that is, the executive and legislature, have to work jointly as a team in representing provincial interests in the NCOP.

4.6.2.3 <u>Problems of Participation by Permanent and Special Delegates</u>

The issue of participation of permanent and special delegates has also affected participation in the development of policies. The purpose of having permanent and special delegates was to make certain that MPLs are involved in the national legislature. As well as representing the province in the Parliament, permanent delegates bring the broader national perspective to provinces. Consequently, by attending the NCOP as

delegates, the MPLs are exposed to national politics (Calland and Nijzink 2001). The role of permanent delegates was described by a NCOP Needs Assessment (1998) as follows:

> On the one hand a permanent delegate is the appointee of the provincial legislature and responsible to it. On the other, she or he is a member of the national Parliament, resident in Cape Town and involved on a daily basis in the processes of the national legislature. There is a danger that permanent delegates enter a political limbo – too remote from their provinces to have effective contact with them, too tied to the provincial legislature to act effectively and autonomously in the national Parliament. Links between provincial legislature and permanent delegate and between permanent delegate and the NCOP must be strong. Indeed our analysis suggests that effective permanent delegates are the key to effective functioning of the NCOP. They are a critical link between the provincial and national arenas (NCOP Needs Assessment Report 1998:28).

However, the report also points to the fact that in practice the role of permanent delegates is not always clear and well understood. Provincial Portfolio committees have expressed concern regarding lack of briefing and reporting by permanent delegates. Many of the MPLs do not understand the role of permanent delegates and how to hold them accountable. Consequently, some permanent delegates, especially those from minority parties, feel isolated and in that regard, not being effectively used. Permanent delegates also face a dilemma because they have no political base in the province they represent and neither do they have status in Parliament. Respondents from the Provincial Legislature and officials from the Department of Education expressed concern about lack of adequate links between permanent delegates and the Provincial Legislature. Informal discussions with a permanent delegate revealed that inefficiencies and problems of proper planning and programming of activities hinder adequate links and effective relationship between the delegates and provincial legislature.

All decision-making in the NCOP is supposed to be directed by provincial legislatures (Constitution of the Republic of South Africa 1996). This requires provincial legislatures to deliberate and give their inputs on the national bills that their representatives will have to approve in the NCOP. In order for this to be achieved, it was agreed that the NCOP business should follow cycles to enable coordination of provincial involvement. However, cycles have been applied to section 76 legislation only while oversight

programmes and section 75 legislation are dealt with separately, a factor that inhibits the effective participation of provinces. Moreover, the implementation of the NCOP cycles has had limitations, among them, lack of proper coordination with provincial programmes; permanent delegates not being able to liaise properly with their provincial legislatures; cycles often being changed or abandoned; and cycles being too short to accommodate most legislation (Calland and Nijzink 2001).

The findings above show how problems in the functioning of institutional structures and rules can affect participation of the public in policy development. It is evident that the relationship between the NCOP and provincial legislatures, the way both institutions implement their activities, the attitude of members of provincial legislatures and provincial executive coupled with ignorance or lack of knowledge on how the institutions function, has affected participation in policy development. It has denied many ordinary people who are not able to contest policies at the national level from doing so at the provincial level where it might be less expensive and logistically more accessible. This results in policy being developed and understood only by a small group of people. It also provides opportunities to such privileged group to contest and retain policies that would benefit this group to the disadvantage of the masses. As indicated in Chapter II, the above factors show that actors and groups use ideas to circumvent institutions to effect changes in the pursuit of their own interests.

The Eastern Cape Provincial Legislature, like many of the other provincial legislatures, has passed little legislation since it was established. Table IX shows the number of bills that have been adopted by the provincial legislatures from 1994 to 2000.

Table IX: Law Making in the Provincial Legislatures 1994 - 2000

Year	E. Cape	Free State	Gauteng	KZ-Natal	Limpopo	Mpumalanga	N. West	N.Cape	W.Cape
1994	5	8	2	9	5	8	24	8	12
1995	12	6	6	8	9	8	16	6	6
1996	3	13	11	10	9	5	4	7	8
1997	9	7	13	10	8	5	11	7	13
1998	6	20	18	13	8	16	11	7	15
1999	11	9	7	7	7	7	4	4	10
2000	7	6	8	8	8	8	8	7	11
Average	7.5	9.8	9.2	9.2	7.7	8.1	11.1	8.8	10

Source: Murray and Nijzink 2002:75

Evidently, the amount of bills passed by provinces over the period of 7 years is very low with Eastern Cape Province having the lowest number during the period. Many respondents attributed this to limited constitutional competencies of the provinces. Although the Constitution grants wide law making powers to the provinces, many of them have little understanding of their responsibilities and law making mandate. This can be attributed partly to the complexity of the system and also by the preoccupation of the provinces in establishing the required infrastructure to carry out the responsibilities imposed on them by national legislation (Murray and Nijzink 2002). Provinces that are aware of their powers wait for national frameworks and norms and standards to be established before adapting them to specific provincial needs. Provincial delegates revealed in the interviews that since they have negotiation mandates with Select Committees where their inputs are included, they do not see the need for repeating the process at the provincial level.

Murray and Nijzink (2002:76) outline other factors as "lack of political will and vision in departments; lack of clear policy direction or assessment of provincial needs; lack of

understanding of the constitutional powers of provinces; and lack of competent drafters". Respondents raised concern about the quality of bills introduced in the Eastern Cape Provincial Legislature. They acknowledged that in most cases drafting of legislation by departments is of low quality and on several occasions the Legal Unit raised concern about some of the bills that were been introduced as either being unconstitutional, invalid or legally unsound because of poor drafting. They also stated that the executive does not collect adequate information and data or conduct thorough research before a bill is produced and introduced to the Legislature. Similarly, there is lack of proper planning by the Legislature. Lack of capacity affects policy formulation by the Eastern Cape Provincial Legislature in general, and on education in particular.

4.6.3   Participation in the Policy Development Process in the Eastern Cape

Some of the MPLs interviewed expressed their dissatisfaction with the development of policies by most Departments in the Eastern Cape because they do not hold discussions or solicit feedback from stakeholders when they produce Green and White Papers. A respondent commented:

- *Departments have a habit of producing Green and White Papers and then immediately call in Drafters to draft a bill before they do proper consultations with stakeholders. At times they choose to consult only specific groups mainly those they feel are vocal and knowledgeable and are likely to cause problems or raise queries later thus further marginalising majority of people whom some of the policies will affect most (Respondent: Member of Provincial Legislature).*

Lack of adequate financial means affects the actual participation by stakeholders and other groups of the civil society in various policy processes. This was confirmed by some of the respondents from both the provincial Department of Education and the Provincial Legislature who said that although MPLs go to their constituencies to get feedback and views of the voters on draft policies and bills, they are not able to cover all groups due to financial constraints. In most cases people who are left out are those from the poor, rural and remote areas. Lack of literacy and numeracy skills was identified as an obstacle that limits participation of people in the policy process. Respondents said that due to the high illiteracy rate in the province, many people are unable to articulate or make their views

known. As a result there was a feeling among some of the respondents that the process is patronised by a small group of stakeholders from the more affluent communities, teacher organisations and NGOs. A respondent stated:

- *During hearings on a Bill by Standing Committee on Education there are a lot of informal interactions and lobbying between members of the Committee, the executive (MEC and top Departmental management), advocacy coalitions and interest groups and political parties. There are also behind the scenes interactions and mobilisation in party caucuses. You should know that ordinary people get no chance of real participation (Comments from respondent from the Eastern Cape Provincial Legislature).*

As stated in earlier sections participation of people in policy formulation is essential irrespective of whether they are affluent and educated or poor and illiterate. People are capable of participation if they are given the proper channels of communication and appropriate opportunities and avenues where they are also able to use the language they understand.

The above findings show that institutional norms, rules and arrangements enhanced unequal participation in the policy process, opening more opportunity and chances to affluent groups, thus impacting on policy variation and change. The findings also show that lack of capacity among the provincial Department of Education officials and the Provincial Legislature affect the process of policy formulation. The findings confirm what was discussed in Chapter II above, namely, that actors and groups use ideas to circumvent institutions to effect changes in decision making and policy formulation in pursuit of their interests. It is also evident that institutional norms and rules constrain change in policy.

4.6.4 Findings on Participation from NGOs

Focus group interviews were held with NGOs, Faith based Organisations and Community Associations working in the area of education to find out how they participated in the policy development process and their views on the type of policies formulated. Discussions concentrated on participation in the development of Curriculum 2005.

Respondents made general comments on the process of education policy making in the country after 1994. They contended that the most noticeable change in the approach to education policy making is heavy reliance on technical committees, working groups, consultants and task teams with less involvement of different stakeholders and constituencies as compared to the pre 1994 period. The use of committees, task teams and working groups is not contested. However, concern was expressed that only selected groups and stakeholders are approached to provide input in policy making, leaving out many other important and relevant groups and constituencies. A respondent commented:

- *Different groups and civil society were able to participate in debates and suggestions on policy options and proposals in education in pre 1994 elections. Now the policy process has changed dramatically from consultation with different constituencies in the pre 1994 election period to a more technical and expert led approach in the post 1994 elections where only selected few are involved. This has opened opportunities for privileged groups to defend and maintain their interests (Respondent from NGO operating in the Province).*

Other respondents attributed non-participation and domination of the process by a small group on lack of enthusiasm, skills and knowledge. There is an assumption held by many people that because a democratic government is in place, therefore it is well acquainted with people's needs and would eventually come up with the right policies. Viewed in this light, there is no need for participation in the process. A respondent stated:

- *Some groups who are already advantaged have been able to organise themselves and devised strategies which most times have worked to their advantage because other groups lack skills, enthusiasm, knowledge and will to do the same. The main problem also is the fact that some people feel that since these leaders have brought us freedom and democracy, we trust that they will always make sure that they come up with policies that will uplift those who had been exploited in the past as they promised in election campaigns. I think trusting our leaders and not questioning them has availed opportunities for people to defend and retain their privileges (Respondent from NGO operating in the Province).*

Respondents commented on their participation in the development of Curriculum 2005. They viewed curriculum design as the lifeblood of education and the process should

entail extensive consultations with different constituencies. However, it was felt that the same has not been the case with Curriculum 2005; the process excluded many important constituencies and groups. A respondent commented:

- *At both national and provincial levels a small number of representatives from main trade unions and bureaucrats from the Department of Education shaped the development of the curriculum at various stages for example in Learning Area Committees. Despite the fact that our organisation had been involved in curriculum development issues and in-service training of teachers since late 1980s and early 1990s and had been involved in same activities with the current provincial Department of Education, we had to literally push hard to be included. We were only able to do so in the last stages of the process (Respondent from NGO).*

Another respondent made the following comment:

- *Development of the new curriculum was not inclusive as Departmental officials and a group of few selected professionals dominated the process. It shut doors for us to provide input in the crucial stages of the process (Respondent from NGO).*

The above comments show how the Department of Education officials played a great role in conceptualising, managing and facilitating the curriculum development process while at the same time heavily influencing it. The Department ensured that it dominated the process its views reflected in most committees and structures established in each area and at every stage. A few examples are provided. Learning Area Committees (LACs) which reported to the National Curriculum Development Committee (NCDC) were tasked with, among others, writing specific outcomes for each of the 8 learning areas for General and Higher Education. Although LACs were composed of representatives from different stakeholders including teacher organisations, there were heavily dominated by Departmental officials who also led most of them. Bureaucracy from the Department of Education heavily dominated the NCDC, which developed draft policy and proposed structures for Learning Programme Development. The Technical Committee on Standards and Frameworks for learning programmes had 14 members of whom half were from the Department of Education. International consultants were also included. The Curriculum Management Committee which was charged with approving standards at

appropriate levels and learning programme guidelines was composed of representatives from the Department of Education, LACs and major teacher organisations.

Govender et.al. (1997), Jansen (1998) and Soudien (1999) expressed concern that the process was characterised by the absence of members from previously disadvantaged communities and dominated by the bureaucracy. According to Soudien:

> The factor of non-availability of teachers and the availability of freelance 'experts' sets up a certain form of privileging that is often embodied within the longstanding, White-dominated 'old-boy' or 'old-girl' networks of the apartheid era. The ownership of the reform process is thus perceived to lie with an elite group of experts funded by government authorities (Soudien 1999:457).

Respondents also expressed similar concerns. The following comment was made by one of them:

- *Our organisation had worked for a long time with rural schools and we knew the situation and what was needed. We wanted to provide input in the very initial stages of the process because we realised most of the proposals had been adopted from countries that are outside our country with different situations and conditions. The dominance of the bureaucracy was a major concern to us, as they really did not know the situation in our schools. Whatever input we gave after much struggle to get there was too late because it was evident that any input from us would not be included as work of experts who were mainly White could not be challenged (Respondent from Community Based Organisation).*

Public participation constraint, lack of transparency and domination of the Department of Education has also been shown in an example provided by Soudien (1999) in his study on Transformation and Outcomes-Based Education in South Africa:

> A SADTU teacher delegate who served as a technical advisor to an LAC noted that when the issue of performance indicators arose within that committee, a subcommittee was organised to advise on the development of such indicators. The committee soon found out, however, that the indicators had already been developed by a separate specialist group under the auspices of the Department of Education (Soudien et. al 1999:449).

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One major weakness of the process identified by respondents was the exclusion of teachers who are the main implementers of the curriculum. Harber (2001:53) quotes Professor Danie Schreuder of Stellenbosch who equated lack of teacher involvement to "the top management of a car manufacturing company designing a new model in the boardroom while on the factory floor workers are still manufacturing a 1954 model". The following comments from different NGOs show the magnitude of the concern expressed on non-involvement of teachers:

- *Teachers and parents were not involved in the formulation process. It was a top heavy exercise dominated by government officials. Only few teachers from unions were involved, a process which left the bulk of teachers out (Respondent from Church Organisation).*

- *The curriculum policy process was driven by selected group of stakeholders with little consultation with teachers. This action alienated teachers from the new curriculum. The policy making process was very technical and was divorced from the demands that had existed at the level of implementation (Respondent from Research based NGO).*

- *The lack of concern with process that had been evident in the formulation and implementation of the curriculum has marginalised the overwhelming majority of teachers who had no access to information on OBE and literally no effort was made to involve them (Respondent from a Training based NGO).*

Throughout the period that the policy was being developed, that is, 1996 and 1997, concerns regarding lack of consultation and insufficient time to prepare for teaching and training of teachers were raised by different groups, particularly teachers and teachers' unions. SADTU expressed reservations about the fact that the process was dominated by Department officials while teachers who are the main implementers of the policy were excluded. The concern was also expressed by Greenstein (1997) who stated:

> The vast majority of teachers who are supposed to carry out the policy at school level, and the provincial departments which are in charge of implementing and administering the policy, had been kept largely in the dark regarding the new policy until after it had been finalised. As a result of not taking their concerns with the speed and direction of the process sufficiently into consideration, the national department of education is forced at this late stage to scale down its

plans and move at a slower pace. The original plan to implement the curriculum in three grades each year apparently has been reduced to only one grade in this coming year. Additional concerns have been expressed with the absence of appropriate materials, textbooks, poor preparation of teachers, unclear and untested assessment methods, lack of international compatibility and the undermining of content for the sake of vague and difficult to measure outcomes (Greenstein 1997:7).

Consequently, Govender et. al. wrote:

> The fact that the time frames have not been changed despite serious concern raised by organisations representing those who will actually be implementing the new curriculum in the classroom raises serious questions about the degree of participation in the curriculum development process. The state driven nature of the curriculum development process is also evidenced by the lack of dissemination of information regarding the progress of the changes in its structures. The most recent draft documents on aspect of the process have not been distributed for public comment. According to officials in the national department the Technical Committee report will be available upon request, but there will be no official call for submissions. Due to composition of the TC, that document itself will already be heavily influenced by officials at the various levels of the education bureaucracy. The lack of broad public involvement in the drafting and finalisation of learning area outcomes, which will provide the basis for the new curriculum, is a cause for concern (Govender e. al. 1997:13).

A respondent from the Eastern Cape Department of Education gave the following remarks about the process of formulating the curriculum:

- *The Directorate of Curriculum Development had been involved in planning extensively but mostly at a national level. During this period there was huge pressure on the national Department to change, and provincial delegations were sent up to the national level to assist and participate in policy and planning. Provinces were conceived of as almost a department of the national government, and not as an independent sphere as is in the Constitution. This was reflected in the policy and planning process for curriculum which drew provincial directors up to national level for collective planning as if being called to head office (Respondent: Curriculum Directorate).*

4.6.5   Findings on Participation from Schools

Focus group interviews were held with 7 representatives from each of 10 schools from King William's Town and East London districts. Table X provides some of the

particulars of those schools.

Table X: Characteristics of Schools included in the Study

School	No. of learners	No. of state funded educators	No. of educators funded by school governing body	Ethnic composition of learners	Ethnic composition of educators	Number of members of school governing body
Township A	982	30	0	100% Black	100% Black	8
Township B	942	26	0	100% Black	98% Black 3% Coloured	6
Township C	985	31	2	100%Black	100% Black	8
Rural A	750	20	0	100% Black	100% Black	7
Rural B	500	15	0	100% Black	100% Black	7
Rural C	454	10	0	95% Black 5% Coloured	89% Black 11% Coloured	6
F. Model C (English medium)	722	25	6	50% Black 43% White 7% Coloured	100% White	8
F. Model C (Dual medium)	965	36	8	49% Black 34% White 10% Coloured 7% Indian	98% White 2% Coloured	8
F. Model C (English medium)	683	22	5	53% Black 49% White 6% coloured 2% Indian	100% White	7
F. Model C (Afrikaans medium)	750	27	6	79% White 18% Coloured 3% Black	100% White	8

Table X shows the characteristics of the 10 schools included in the study. All the institutions were high schools with large numbers of learners. Despite the large numbers of learner population, the majority of the township and rural schools do not have additional teachers employed and paid by school governing bodies except one school. However, all the four former model C schools have additional teachers paid by the school governing bodies. This brings to light economic differences between, on the one hand, the former model C schools and on the other hand, township and rural schools. The majority of the township and rural schools have 100% black (African) learners. Almost all, except two of them, have black or African teachers. Despite the fact that all the former model C schools (except one) have a majority of black or African learners almost

all of them have 100% white teachers. This shows that full integration of teachers from different racial backgrounds in those schools has not been achieved. The number of school governing body members varies depending on the number of learner population in the institution.

As stated in Chapter II Part II, the 7 representatives from each school who participated in the focus group and semi-structured interviews included two teachers, two learners and three members of school governing bodies, including the principals of the schools. The ten schools selected were 4 former Model C schools, 3 township schools and 3 rural schools. All these schools are currently categorised as public schools. The purpose of the focus group and semi-structured interviews was to find out how different people and groups at the lower level participated in the policy development process and their feelings about the type of policies that were developed to transform the education sector. The discussions concentrated on two policies, namely, SASA and Curriculum 2005.

4.6.5.1 <u>Comments on SASA and Curriculum 2005</u>

Discussions in each group focused on whether the respondents were aware of both policies. The following interesting observations emerged:

- All members of the school governing bodies, including principals and teachers from former Model C schools, were familiar with both policies. However, many learners from those schools were more familiar with Curriculum 2005 than SASA.
- On the other hand, many of the teachers from the township and rural schools were more familiar with Curriculum 2005 than SASA.
- All principals were more familiar with SASA while fewer members of the school governing bodies from township and rural schools shared such knowledge. Some principals admitted that they were not confident neither could they claim that they were very familiar with Curriculum 2005.
- Very few learners from township and rural schools were familiar with both SASA and Curriculum 2005.

Respondents gave their views on the two policies and discussed the aspects they felt were contradictory or likely to hamper the attainment of the goals of those policies. There was a general appreciation and feeling among most of the respondents that the goals of the two policies were sound, namely; to achieve equity and redress, to enhance democracy and participation, and to provide quality education including the overall improvement of efficiency and effectiveness in the education system. However, they doubted the achievement of these goals.

4.6.5.2 <u>The South African Schools Act</u>

In discussing the SASA, many respondents, particularly those from township and rural schools, felt that the way the policy was presented favoured those who were privileged before the change from apartheid to the new democratic government took place. On the other hand, those from former Model C schools felt that some of the policies curtailed the exercise of powers at the school level while at the same time introducing measures that are likely to compromise the quality of education in those schools. They felt that most of what has been built over a long time was likely to erode away. The following are some of the responses on the issue of school fees and fund raising:

- *While there is appreciation that the new government is trying to bring change, there is a danger that people will remain disadvantaged while others push forward with previously existing privileges. You can see vividly the fact that parents are supposed to pay fees disadvantages many people who had been underprivileged before. People had high hopes because during the campaign in 1994 they were promised free education for nine years. Many people are too poor to pay and they feel betrayed by the government through their policies (Respondent: Learner from township school).*

- *The policy has some good aspects but I have a problem with the point where it says that those parents who cannot pay are supposed to be exempted after considering their case. One ought to know that most of these people send their children to the poor schools which already charge very low fees. What we receive from the government is not adequate and you are not compensated for a parent who has been exempted. That is why most times we do not inform parents about this exemption rule (Respondent: Principal from a township school).*

- *While the need to remove inequalities and provide access to education for all is appreciated, I feel*

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that the policies place more burden on some parents and also compromise the quality of education. The policy of exemption means that if you let too many parents off the hook in terms of payment of school fees, there will not be enough funds to run schools properly given the fact that we get very little funding from the government. Parents know what is going on and they talk to each other. If you have exempted too many parents from paying, others find they have to pay too much and also the quality of teaching is compromised. They will withdraw their children and enrol them in those schools where all parents are able to pay. This has happened in some schools (Respondent: SGB Member from former Model C school)

- *SGBs in our schools do not have capacity and skills of fundraising. They also do not have those contacts with big businesses and companies (Respondent: Principal from rural school).*

- *You should know that some of our SGB members also come from poor neighbourhoods and are not employed. They have to look for piece jobs to survive. When will they have time to fundraise? Who will contribute money? Our communities are poor. Some of them cannot afford to pay the minimum fee of R 40 per year for their children (Respondent: SGB member from rural school).*

The following are some of the comments on school governing bodies:

- *While we appreciate the issue of participation by parents in running of the schools, there have been complaints from many principals that SGBs interfere with the functions of school management. One colleague of mine told me that some of his SGB members came in almost daily to check who is present, how so and so is teaching, whether the place is clean etc. Many teachers have raised concerns about such interferences. We need a lot of capacity building and training of these SGB members (Respondent: Principal from township school).*

- *The government has eroded powers of the SGBs. You find that we cannot recruit teachers and conduct many other businesses freely without seeking approval from the Department of Education, which has a lot of bureaucratic hurdles and inefficiencies (Respondent: SGB member from former Model C school).*

- *Having Student Representative Councils in schools is a very good idea and I have no complaint about it. However, having them in the SGB is a problem because there are times we discuss confidential matters that are not supposed to be known to learners. I feel that they should not have been included in the SGBs (Respondent: Principal from township school).*

- *I am not happy that learners are included in SGBs because we are talking and discussing learners' issues all the time and I feel it is a conflict of interest to have them as members in those*

bodies (Respondent: Principal from former Model C school).

- *Due to lack of skills and capacity some principals dominate their SGBs and make all decisions on their own. While we appreciate the governments efforts in involving us in running schools, the government should not only push all the responsibilities to us and do very little in turn but it should also put development programmes and funding for intensive training of SGBs (Respondent: SGB member from rural school).*

4.6.5.3 Curriculum 2005

Consequently respondents discussed Curriculum 2005. The majority of the respondents expressed enthusiasm and hope for the vision set out by Curriculum 2005. They perceived the new curriculum as a means to produce and attain equity and redress. They also believed that the new curriculum reflected the principles of lifelong learning and if adequately funded, it would provide opportunities to empower teachers to make important educational decisions affecting their respective learners. The most interesting aspect is that the benefits of the new curriculum mentioned most frequently by respondents was the emphasis on *"skills that are important in preparing learners for a better future and for better job prospects"*.

However, respondents expressed concerns that implementers, particularly teachers, were left out of the process during the policy formulation stage. A respondent remarked, *"Teachers and learners experiences were not drawn directly into the process, and this is a source of major problems and setbacks in the implementation process"*.

Respondents were mostly able to discuss the conceptual context of the curriculum. Most teachers and principals who were respondents from township and rural schools viewed the language of the curriculum as being *"technical, complicated, confusing and difficult to comprehend"*. A respondent stated:

- *Many of us educators are not clear about the pedagogical language of OBE as it proves to be very technical and complex although some of us have received some form of training (Respondent: Teacher from rural school).*

- *In my school nothing is being done and it is even more difficult to follow the OBE language for teachers who have not been exposed to any training. Educators are not well versed with the terminology and technical language used (Respondent: Teacher from township school).*

Teachers and principals who were respondents from former Model C schools acknowledged the technical nature of the language and the way it confused teachers but stated, *"we have always practised and implemented OBE in our schools, it is not as if we are beginning with its introduction"*.

One of the key findings of the Curriculum 2005 Review Committee was that the structure of the curriculum was skewed and "many of the conceptual confusions, lack of clarity in policy documents and difficulties with implementation of Curriculum 2005 stem from the basic structure and design flaws"(CEPD 2002:22). The Committee identified three problems related to the complexity of the language: "the use of meaningless jargon and vague ambitious language, the unnecessary use of unfamiliar terms to replace familiar ones and the lack of common understanding and use of Curriculum 2005 terminology"(CEPD 2002:22). Other concerns raised by the Committee were those related to the structure and design of the curriculum which also included overcrowding of the curriculum.

In order to address the problem of design and structure, the Committee recommended that a National Curriculum Statement of the four bands (Early Childhood Development (ECD); General Education and Training (GET); Further Education and Training (FET); and Adult Basic Education and Training (ABET) be developed so that it contains four key design features instead of eight. The four design features should be Critical Outcomes; Learning Area Statements; Learning Outcomes; and Assessment Standards. To address the problem of the complexity of the OBE language, the Committee recommended that the language used in the new curriculum should be clear and accessible.

Many respondent teachers and principals identified other aspects in the curriculum as being confusing and difficult to set and follow. These were critical and specific

outcomes; assessment; integrated teaching; team planning and preparations. However, respondents contended that with training they were able to cope. The majority of respondents from township and rural schools cited large classes and overcrowded classrooms; inadequate learner support materials; inadequate training; and lack of follow up support as major obstacles in the implementation of the new curriculum.

4.6.5.4 Participation in Policy Development: SASA and Curriculum 2005

Respondents in each group were asked to comment on whether they provided input in any of the two policies (SASA and Curriculum 2005) when they were being formulated. The majority of respondents in each group acknowledged that they were aware that the policies were being formulated. However, many of them, mostly those from township and rural schools, acknowledged that they did not provide any input neither did they know much about such policies till the implementation phase. The respondents from former Model C schools indicated that they provided input in SASA during the formulation process. Many of them were members of school governing bodies, principals and teachers.

Majority of respondents from township and rural schools were members of SADTU. In the discussions many of them acknowledged that SADTU executive members made presentations and provided inputs on SASA on their behalf. One respondent stated, *"Our Union, SADTU, provided input on SASA in zonal and regional meetings and conferences; and made presentations in public hearings organised by the Departmental officials and the Hunter commission"*. However, many of the respondents expressed concern that SADTU officials did not sufficiently consult at the school level where the bulk of their members were. Some of the respondents stated that their representatives attended regional and zonal workshops and conferences without consulting and holding meetings with them at the school level to obtain recommendations on their preferred position. The following are some of the remarks from respondents:

- *I am aware that my union provided input in SASA and many other policies but I am not exactly sure whether they consulted with members in the schools. We did not even receive any documents. I myself know that all the schools in our zone were not consulted. The Union did not approach the members (Respondent: A teacher from township school).*

- *While we appreciate the fact that SADTU representatives act and speak on behalf of its members, we would have liked more inclusivity of members' views. Their consultations with all members, particularly at the school level, have been very limited. At times this was done at regional meetings held in urban areas where the majority of us could not attend. Many of us are also not able to access the policy documents (Respondent: Teacher from rural school).*

- *Sometimes I feel there is no use to make submissions because the government and the groups they favour would have already decided on what they will take. Sometimes consultations are just used as a camouflage. Many times it's the views of the powerful groups which are favoured because they know how to make follow up until the last stage (Respondent: SGB member from township school).*

Discussions were held with provincial and regional SADTU officials. They acknowledged that they made presentations on the SASA legislation at the national level on behalf of their members after holding consultations with them. However, it was not possible to hold consultation workshops and meetings in all places because of problems of funding and other logistical arrangements. The members had the option of attending meetings in different areas or making written submissions to their districts and regional organisation offices.

As stated above, most respondents from former Model C schools were aware of the formulation of the two policies and they acknowledged that they provided inputs in the SASA process. Most respondents stated that they had access to the policy documents and schools held meetings and discussions where principals, teachers, school governing bodies and parents were able to formulate informed responses to the policy documents. They accessed funds for their workshops and meetings from sponsors, mainly the business community and former learners (alumni). They made submissions to the Association of School Principals and to the South African Federation of State Aided Schools. Consequently, the former organised workshops for principals where submissions were made to the Department of Education and South African Federation of State Aided Schools. Schools and school governing bodies sent representatives to South African Federation of State Aided Schools to make presentations to the Department of Education and the Parliamentary Portfolio Committee on Education.

The following are some of the respondents' statements:

- *We realised that it was necessary to mobilise all our stakeholders that is, parents, teachers principals, school governing bodies, sponsors etc. to discuss and provide inputs to the policy process because although we accept that there is need to redress and bring equity to those who were disadvantaged, we also felt that there was a need to ensure that the quality of education offered by our schools was not compromised (Respondent: Principal from former Model C school).*

- *Many of the policies were going to be changed to suit the new situation and we needed to provide input so that no person will be disadvantaged by the changes. We had to put our own structures and secure the documents for discussion to enable us to participate in commissions and government hearings (Respondent: School Governing Member from former Model C school).*

- *The existing structures in former Model C schools provided good examples since they were functioning well. There was less dependence on government in terms of funding and many other functions and there was a need to retain these structures in order to maintain quality (Respondent: School Governing Member from former Model C school).*

The issue of non-involvement of teachers in the development of Curriculum 2005 has been discussed in earlier sections. The majority of respondents, particularly principals and teachers, expressed concern about lack of consultation and involvement in the development of the new curriculum, which in turn made implementation very difficult. The respondents expressed their frustration in implementing policies that they do not know and in which they had not participated in their formulation:

- *Maybe if the Department and also the Union had obtained input from grassroots' level, there would have been more ownership on the part of educators including myself (Respondent: Teacher from rural school).*

- *Educators in the field could have given a very realistic picture of conditions of teaching and learning on the ground. Unfortunately they were not consulted except through few members of their unions and organisations who were not able to reach majority of educators (Respondent: Teacher from rural school).*

- *The provincial Department comes with these streams of policies from the national government and keeps on pushing them to us to implement some things we really do not know or some things we are not party to. Before we internalise one policy another comes and we become very confused because we have not been invited to give our views at the time that the policies were being formulated (Respondent: Principal from township school).*

4.7   Discussions emanating from the Findings

The above findings show that after the 1994 elections, the government put in place new policies to enhance fundamental transformation of the education system to meet the goals of equity and redress. It also ensured that the process of developing policies was open to all South Africans by putting in place numerous avenues, institutions, bodies etc. to facilitate their effective participation. However, the findings reveal that participation has not been as inclusive as anticipated. The majority of those who were able to participate fully were a small group of stakeholders, mainly from formerly advantaged communities. It marginalised or excluded those in the lower levels, mostly those from formerly disadvantaged societies. The findings revealed the following challenges that limited participation in education policy formulation:

- Compromises made in the negotiation process in Kempton Park and the changes made by the apartheid government in the education sector before the 1994 elections. The formulation of SASA is among the examples where the new government had to enter into negotiations with the Model C school governing bodies. This provided more advantage to Model C school governing bodies and other affluent groups.
- The functioning of participatory institutions, bodies, avenues and so forth provided more opportunities to certain groups with more influence and ideas to participate while those without were left out.
- Arrangements, functioning and powers of structures particularly at the provincial level constrained participation of many groups and stakeholders in the process. This is evident in the findings on the arrangements and the way the NCOP, the provincial legislatures and the Departments of Education operate or function.
- Lack of capacity, commitment, will and understanding of procedures among provincial politicians and Departmental officials. This has been highlighted in the

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findings on the policy formulation in the Eastern Cape province.

The above findings show that groups are able to use interest and ideas to influence the policy process. However, whether the groups are part of networks or stand on their own, members are bound together not only because of similar interests but also because they share the same values and goals. The findings also show that institutional norms and rules and arrangements constrain policy change. Actors and groups use ideas to circumvent institutions in order to effect changes in the pursuit of their interests. Public officials have their own interests and ambitions that they seek through control of the state machinery. Since institutions comprise of norms, rules and structures as well as being the formal apparatus of government, people from within are able to use those norms and rules to effect changes that would enhance and further their own interests.

Policies Developed to Transform the Education Sector

Part II outlined the process of policy development in the education sector. This part discusses some of the education policies that have emerged from the process. It identifies their limitations and shows how they have been influenced by inputs from different groups which participated in the process and the economic environment that existed during the policy process. This Part analyses financing, school governance and curriculum policies.

4.8 Education Financing

With the establishment of a democratic government in 1994, it was expected that a substantial increase in the amount of funding would be directed towards schooling, specifically to previously disadvantaged groups since education was viewed as an investment into South Africa's future (CEPD 2003; Fiske and Ladd 2004). However, the expectations were thwarted because it was argued that the overall level of public spending on education in South Africa was higher than that of other developing countries in terms of the percentage of total government expenditure and GDP (Financial and Fiscal Commission 1998; CEPD 2002; Fiske and Ladd 2004). It was well above the average of 40 per cent for most developing countries (Financial and Fiscal Commission 1998). Given the above factors, the post-apartheid government came up with policies to increase the resource base for education and improve public expenditure through charging user fees; implementation of the equitable shares formula; and targeting poor schools to improve the incidence of education expenditure.

4.8.1 Charging user fees

As discussed in Part II of this Chapter, among the policies to increase funding for education was charging user fees where parents were required to supplement government allocation. School governing bodies which consist of elected parents and educators have the right to charge fees and enforce payment on parents except those that have been

granted exemptions. Moreover, the governing bodies can also raise additional funds besides user fees to supplement school income. Justifications for allowing fees were advanced by a number of stakeholders including external consultants (Karlsson et.al. 2001; Nzimande 2001). It was argued that since the government might not be able to fund the former Model C schools at the same level as before, and if no other sources of funding were available, it might affect the quality of education adversely. Therefore, there was a likelihood that the majority of parents in the middle class might opt to take their children to private schools, on the ground that the quality of education in public schools was low. This would deny the public schooling system the most influential people like business men and women, politicians, professionals, senior public servants etc. (Fiske and Ladd 2004; Nzimande 2001; Harber 2001). Moreover, allowing the former Model C schools to charge fees would free up additional public funds that would be used in addressing backlogs in the schools that served the former disadvantaged communities (Fiske and Ladd 2004; Nzimande 2001). One of the outcomes of charging school fees was to enable children from middle class families to stay in public schools because the latter were able to hire additional teachers and acquire other essentials that enhanced the provision of quality education. According to Fiske and Ladd:

> On the positive side this policy appears to have successfully induced most middle class families to keep their children in the public school system. That is an important achievement in light of South Africa's apartheid history and values implicit in the new democracy. In replacing the fragmented education system under apartheid, it was essential for the new government to avoid setting up yet another bifurcated system of education. Moreover, permitting the former white schools to charge fees headed off the temptation to seek equity by destroying the islands of educational excellence that existed under apartheid. South Africa needed all the trained workers and citizens it could muster, and it made little sense to undermine the quality of the 'good' schools, especially at a time when the constituency of those schools was being widened to include all races (Fiske and Ladd 2004:81).

Although the policy of charging fees has also enabled children of all races to access quality education in the former Model C schools, it led to continued socio-economic imbalances as it could not free the anticipated adequate public funding to address the immense backlogs in formerly disadvantaged schools. Former model C schools which

have learners from most affluent communities and families are able to raise substantial amount of funding. On the other hand most township and rural schools charge very low fees because the majority of parents are unemployed and poor. Discussions held with principals and members of school governing bodies in 10 schools included in this study revealed that close to 45 per cent of parents and guardians of learners in township and rural schools depend on meagre income from the informal sector, casual work and piece jobs. Thirty six per cent depend on old age pension and 18% have livestock and also engage in subsistence farming. Only 10% are employed in the formal sector. Moreover, there are no sustainable income generating activities in the areas where the parents can take part and earn income.

On the other hand, discussions with the above respondents showed that the majority of parents (98%) of learners in former model C schools that were included in this study are involved in the formal sector either as employees or employers running their own businesses. Only 2% were said to have no permanent employment. Discussions showed that many of the parents with children in township and rural schools cannot afford to pay the minimum amount of fees charged by those institutions. The amount of fees charged and collected per year and the number of state and SGB funded educators in the 10 schools included in this study is shown in Table XI. It shows that township and rural schools received between 25% and 60% of the expected fee income. However, the majority of former model C schools collected 90% and above of the fees charged per annum. Only one school received 87% of the fees expected.

Table XI: Fees charged and received and number of state and SGB funded educators

School	No. of learners	No. of state funded educators	No. of educators funded by school governing body	Amount of fees charged by school per year*	Fee Income (in Rand)	Fee Income received (in Rand)
Township A	982	30	0	80	78560	31432(40%)
Township B	942	26	0	60	56520	16956(30%)
Township C	985	31	2	100	98500	59100(60%)
Rural A	750	20	0	65	48750	22913(47%)
Rural B	500	15	0	65	32500	8125(25%)
Rural C	454	10	0	55	24970	12485(50%)
F. Model C (English medium)	722	25	6	3000	2166000	2057700(95%)
F. Model C (Dual medium)	965	36	8	3600	3474000	3161340(91%)
F. Model C (English medium)	683	22	5	3000	2049000	1782630(87%)
F. Model C (Afrikaans medium)	750	27	6	3150	2362500	2126250(90%)

*Fees exclude boarding expenses. Two of the former Model C schools (English medium) provided boarding facilities at a cost of R 11 200 and R 13 000 per annum respectively including tuition. One of the township schools provided boarding facilities at a cost of R750 per annum including tuition.

By collecting higher fees former model C schools have been able to employ additional teachers and secure adequate teaching and learning materials, equipment and other resources which township and rural schools do not possess. Having additional teachers funded by SGB means lower teacher: learner ratio in the former model C schools. It also allows the latter to offer other subjects and learning areas which are not available in the township and rural schools, and also provide extra assistance and tuition to slow learners. This has evidently enhanced the quality of learning and education as a whole in the former Model C schools (Fiske and Ladd 2004). The user fee policy has resulted in continued socio-economic imbalances. The above findings are also confirmed by Fiske and Ladd (2004) who compared public and private resources in current public schools (primary and secondary) in the Western Cape by classifying them along former department categories. They showed how socio-economic imbalances exist with the

former Model C schools obtaining more public and private funding. This allowed the former Model C schools to employ additional teachers, maintain low teacher: learner ratios, and offer better quality education. This is shown below in Tables XII and XIII.

Table XII: Public and Private Resources in Primary Schools, by Former Department, Western Cape 2001*

	DET (Black)	HoR (Coloured)	HoD (Indian)	HoA (White)	Total
Resources per Learner (Rand)					
Annual fees charged	45	99	327	2077	443
Total public funds per learner	3002	3613	4142	3857	3594
Teachers and teacher qualifications					
SGB teachers (number per school) **	0.16	0.29	1.33	3.82	0.90
SGB teachers as a percentage of state paid teachers	0.60	2.20	12.50	28.50	6.30
Learners per state paid teacher	38.40	36.30	37.10	35.90	36.60
Average qualifications***	13.41	13.10	13.51	14.05	13.30
Percentage of unqualified teachers	6.50	20.90	9.40	0.80	15.00

*Calculated by Fiske and Ladd based on data provided by Western Cape Department of Education.
**All teachers hired by SGBs divided by the number of schools in the cell.

Source: Fiske and Ladd 2004:75

Table XIII: Resources in Secondary Schools, by Former Department, Western Cape, 2001*

	DET (Black)	HoR (Coloured)	HoD (Indian)	HoA (White)	Total
Resources per student (Rand)					
Annual fees charged	105	333	283	2701	1126
Total public funds per learner	3402	3972	3803	4419	4034
Teacher and teacher qualifications					
SGB teachers (number per school)**	0.13	0.94	0.67	5.96	2.60
SGB teachers as a percentage of state paid teachers	0.40	3.00	2.50	29.50	9.40
Learners per state paid teacher	33.60	33.20	35.30	32.40	33.10
Average qualifications***	13.83	14.10	14.17	14.48	13.30
Percentage of unqualified teachers	2.60	0.80	1.20	0.00	0.90

*Calculated by Fiske and Ladd based on data provided by Western Cape Department of Education.
**All teachers hired by SGBs divided by the number of schools in the cell.

Source: Fiske and Ladd 2004:75

Both Tables XII and XIII show that school fees will enhance the quality of education if they are an addition to the resources provided by the state. Assuming that all fees in Tables XII and XIII were paid and there were no exemptions, the amount of funds raised through payment of fees in the former DET schools would contribute very little to their total revenue. On the other hand, in the former white schools it will significantly supplement the financial resources provided by the Department by a high percentage. The latter schools would be able to hire additional teachers and this would bring down the teacher: learner ratios. Consequently, in both Tables XII and XIII, teachers in the former white schools have higher average qualifications than those in the former DET schools which have a bigger percentage of unqualified teachers. Fiske and Ladd observed:

Assuming that all fees were collected and that there were no fee waivers, fee revenue for the DET (black) schools would account for only one per cent of their total revenues. In contrast, the average fee of 2077 per learner in the former white schools would augment total public funding in those schools by 54 per cent. The availability of fee revenue permitted the typical black primary school to hire less than a fifth of an additional teacher while the typical white school was able to hire close to four additional teachers and expanded their teaching force by close to 30 per cent. The white schools were somehow advantaged in terms of both the quantity and quality of state funded teachers. They had slightly lower learner to teacher ratios, teachers with higher average qualifications, and a smaller proportion of underqualified teachers. Similar patterns emerge in secondary schools which show that the former white schools had sufficient fee revenue to expand their teaching staff by over 29 per cent (Fiske and Ladd 2004:74-75).

It is assumed that the above situation is likely to lead to differences in the quality of education provided in different public schools.

4.8.2   *The equitable share formula*

The post-apartheid government has attempted to direct greater levels of resources to provinces that were historically disadvantaged in order to address the issue of jurisdictional inequality and poverty. Equity between provinces in respect of revenue for education is calculated on the basis of a formula constructed by the National Treasury. The formula reflects several provincial variables. These include the size of the school age population; the number of learners enrolled in public ordinary schools; the distribution of capital needs in education and hospital facilities; the size of the rural population in each province; and the size of the target population for social security grants weighted by a poverty index (Department of Education 2001).

The Equitable Shares Formula was phased in over a period of four years in order to ensure that those provinces which were projected to receive real cuts in their budgetary allocations were given sufficient time to make the necessary adjustments, either to their expenditures or to their own revenues. From 1995/96 the education budget showed visible signs of a shift in priorities from the advantaged to the disadvantaged provinces. KwaZulu Natal, Eastern Cape and Limpopo were given sizeable increases to meet their educational obligations at the expense of the more advantaged provinces like Gauteng

and Western Cape (University of Witwatersrand Education Policy Unit 1998; Department of Education 2001; National Treasury 2003).

Table XIV below shows that there has been substantial increase of expenditure per learner since the new government took over. However, despite the increase, the gap among provinces per learner expenditure is still wide. The Treasury (2003:54) observed, "Despite having the biggest education budget of 10.4 billion rand and notwithstanding the highest growth in total spending of 12.4 per cent a year between 1999/2000 and 2002/2003, KwaZulu Natal still has the lowest per learner expenditure". The lowest per learner expenditure figures were also apparent in the other poorest provinces of Limpopo, Eastern Cape and Mpumalanga while the wealthier provinces spend relatively more per learner (CEPD 2003; Treasury 2003) (See Table XIV).

Table XIV: Expenditure per learner by Province (in Rand)

	1995	**1998**	**1999**	**2000**	**2001**
Eastern Cape	1896	2186	2846	3362	3866
Free State	2124	2399	3570	3910	4433
Gauteng	2993	3372	4021	4384	4655
KwaZulu Natal	1979	2185	2633	3069	3432
Limpopo	1303	2127	3211	3452	3674
Mpumalanga	1780	2530	3019	3287	3685
Northern Cape	3219	3282	4438	4858	5139
North West	2179	2694	3602	4065	4447
Western Cape	3552	3212	3987	4391	4721
Average	2336	2665	3234	3631	3995

Source: National Treasury 2003:54

It has been argued by the National Treasury that the poorer provinces spend a proportionately high percentage of their provincial budget on education. Dielties and Motimele (2003:10) observed, "In 2002 the Eastern Cape spent 36%, Limpopo 42% and KwaZulu Natal 37% of their provincial budgets on education while Western Cape spent 33% and Gauteng 35% yet the latter two provinces spent more on each learner than the

former provinces". Therefore, despite measures taken to address inequalities between provinces through the equitable share formula, inequitable distribution of resources across provinces still remains. According to the National Treasury:

> While per learner expenditure is an important measure for comprising the nine provinces, it is advisable to use it with other indicators that reflect unique circumstance prevailing in individual provinces. For instance, some provinces have greater administration or head office expenditure. Some spend more on transport and hostel accommodation, while others have higher average salaries because they have larger proportions of better qualified educators. Also, the average cost of providing education varies across provinces due to the availability or otherwise of infrastructure and other factors (National Treasury 2003:54).

Given the above position, the poorer provinces with enormous backlogs will require more resources in addition to what has already been redistributed. Due to slow economic growth it is unlikely that the education budget will increase soon hence additional resources might not be available.

Provincial education expenditure on personnel has been very high over years although some improvements have now been apparent. Personnel expenditure consumed 90.9% of education spending in 1999/2000 financial year, which improved to 88.6% in 2001/02 and 86.7% in 2002/03 (see Table XV).

Table XV: Provincial education personnel expenditure (in percentage)

	1999/2000	**2000/01**	**2001/02**	**2002/03**
Eastern Cape	96.3	94.2	91.1	88.6
Free State	88.7	90.1	88.2	86.6
Gauteng	86.3	84.9	83.2	81.8
KwaZulu Natal	92.1	93.2	89.1	88.9
Limpopo	92.3	92.2	91.8	89.7
Mpumalanga	92.1	93.0	88.9	83.1
Northern Cape	85.3	84.1	84.6	81.0
North West	91.8	92.1	90.9	89.6
Western Cape	86.4	88.7	85.7	83.8
Total	90.9	90.9	88.6	86.7

Source: Department of Education 2002:45; National Treasury 2003:57

Personnel expenditure was lowest in wealthier provinces and relatively high in the poor provinces of the Eastern Cape, Limpopo, North West and KwaZulu Natal. The share of personnel in the four provinces is above the national average of 86.7% notwithstanding lower average educator salaries. These provinces have the greatest backlogs in terms of infrastructure, facilities and equipment. Higher personnel expenditure has been attributed to educators' salaries hitherto being determined at the national level. This means that during that time, provincial Departments of Education had no discretion over 90% of their budget. To address the problem, measures have been taken to strengthen provincial inputs to the national bargaining process. Having higher personnel expenditure means lesser funds for non-personnel expenses (capital expenditure and non-personnel non-capital expenditure) which are also very crucial for effective learning.

There are considerable differences in non-personnel spending between provinces. The differences become apparent when we examine expenditure per learner on non-personnel non-capital items (see Table XVI).

Table XVI: Per learner budgets for non-capital non-personnel spending (in Rand)

	2000/01		2001/02		2002/03	
	R million	Per learner	R million	Per learner	R million	Per learner
Eastern Cape	201	94	559	276	424	204
Free State	75	101	154	218	201	286
Gauteng	388	270	373	258	571	376
KwaZulu Natal	182	69	314	118	322	127
Limpopo	213	116	325	181	302	176
Mpumalanga	81	90	122	136	215	243
Northern Cape	111	564	111	571	107	561
North West	170	189	210	238	220	245
Western Cape	238	268	358	403	362	398
Total	1660	143	2526	220	2723	238

Source: Department of Education 2002:46; CEPD 2003:84

Provinces with greatest backlogs (Eastern Cape, KwaZulu Natal, Limpopo and North West) spent between R 69 and R 189 per learner in 2000 on water, electricity, school security, maintenance and repairs, equipment, stationery, textbooks and other learning materials. Although allocations increased in 2001 they were still low in most of the poor provinces (Treasury 2003; CEPD 2003). The Northern Cape's expenditure was very high for the three years while Gauteng and the Western Cape also spent relatively high amounts per learner during the same period. The three provinces have the best pass rate in matriculation examinations. The National Treasury (2003:59) stated that: "there appears to be a relationship between inadequate non-personnel non-capital resourcing and senior certificate results, indicating the need to reinforce this component of education expenditure". CEPD (2003:83) observed "many schools received as little as R50 per learner in non-personnel allocations in poor provinces compared to R400 per learner in the wealthier ones. All the schools which received small allocations were poor schools which served formerly disadvantaged communities".

With higher personnel expenditure very little amount of funding was devoted to capital expenditure. Capital expenditure involves "building schools and extra classrooms in overcrowded schools; and replacing dilapidated buildings" (National Treasury 2003:62). Although the amount devoted for capital expenditure has increased since 2001/02, the funds are not adequate for the needs of poor provinces with large backlogs and inadequate infrastructure. Officials from the Directorate of Planning in the Eastern Cape Department of Education confirmed in the interviews that they spent 2.4% of the budget on capital expenses in 2001/02 compared to 0.9% which was spent in the previous year. However, the increase was not adequate to cover the number of school buildings and renovations that were planned for the financial year, and some projects had to be abandoned.

4.8.3   Targeting poor schools to improve the incidence of education expenditure

To achieve intra-provincial equity the government has adopted a policy intended to direct more funding to poorer schools. In 1999 the Department of Education established Norms and Standards of School Funding which stipulate funding procedures to promote equity and redress within the context of inadequate government spending and more reliance of parental financial contribution for education. The Norms and Standards deals with public funding of schools, exemption of parents who are unable to pay school fees and subsidies to independent schools (Dielties and Motimele 2003). The Norms and Standards emphasises giving the poorest public schools and those in bad physical condition a larger resource allocation than the relatively advantaged schools (Karlsson, McPherson and Pampallis 2001). Redistribution takes place in two cost categories, namely;

- capital cost allocation which includes building new classrooms and other construction;
- recurrent cost allocations, that is, immovable capital improvements and repairs, recurrent costs easily separated from other costs, other recurrent and minor capital equipment and hostel costs.

Building new schools or adding classrooms and learning facilities have to be targeted at the neediest section of the population. In the capital cost allocation need is defined in

terms of either lack of current schools or overcrowding of existing ones. With recurrent cost allocation, provincial Education Departments are required to direct 60% of their non-personnel and non-capital recurrent expenditure to the poorest 40% of schools in their province. In order to implement the policy, provinces are obliged to produce a resource targeting list by compiling a list of schools based on their socio-economic levels of development and physical resource. As shown in Table XVII, the resource targeting list is used to divide schools into five categories based on needs (CEPD 2001).

Table XVII: Resource targeting table based on conditions of schools and poverty of communities

School quintiles from poorest to least poor	Expenditure allocation (percentage of the resources)	Cumulative percentage of schools	Cumulative percentage of non-personnel and non-capital recurrent expenditure	Per learner expenditure indexed to an average of 100
Poorest 20%	35%	20%	35%	175
Next 20%	25%	40%	60%	125
Next 30%	20%	60%	80%	100
Next 20%	15%	80%	95%	75
Least poor 20%	5%	100%	100%	25

Source: Department of Education 1998e:27

The above Table shows that the poorest 20% of schools will receive 35% of resources, while the next poorest 20% will receive 25%. The following two categories will receive 20% and 15% respectively. The last 20% of schools, which are mainly previously advantaged schools, that is, former Model C schools and former House of Delegates schools, will receive 5% of the resources. The allocations will be used to meet the costs of water and electricity, maintenance of buildings and the purchase of learning materials. In addition, all learners will receive a minimum package of learning materials equivalent to R100 per learner. In cases where provinces have not received sufficient funding, priority will be given to poor schools (Department of Education 1998e; Karlsson, McPherson and Pampallis 2001).

Norms and Standards of School Funding repeat what is contained in SASA, namely,

allowing school governing bodies to raise additional funds to supplement state funds (Department of Education 1998e). Section 36 of SASA states "a governing body of a public school must take all reasonable measures within its means to supplement the resources provided by the State in order to improve the quality of education provided by the school to all learners at the school" (Republic of South Africa 1996:25). Raising additional funds is essential particularly for the least poor schools (many of which are formerly advantaged schools) which will receive smaller resource allocations for recurrent costs.

The Norms and Standards have made provision for exempting poor parents from paying fees. Parents that will be exempted are those whose combined annual gross income is less than 10 times the annual fees per learner. If the combined annual gross income of parents is less than 30 times but greater than 10 times the annual school fee per learner, those parents do not qualify for any exemption. However, the regulations do not provide a blanket exemption and parents have to apply to the school governing body for exemption. If parents fail to apply and do not pay full school fee, the governing body can take legal action to recover the fees. However, they may not exclude the affected learners from school.

The government has taken great strides by putting in place this policy to address existing inequities between poor and rich public schools (intra-provincial inequities). However, the Norms and Standards only deal with expenditure at school level. They do not cover the administrative and development expenditure of provincial education despite the fact that their budgets are also expected to be consistent with the Norms and Standards (Department of Education 1998). While it is essential to regulate educational finance holistically, this has not been possible due to complexities associated with the multi-level budgeting systems characteristic of fiscal federations. The complexities limit the effectiveness of the Norms and Standards in effecting SASA's objectives of achieving equity in school funding (CEPD 2002).

The Norms and Standards put a lot of responsibilities on school governing bodies. The responsibilities add more workload on school governing bodies and also impose financial burden on parents. Bush and Heystek observe:

> This approach is justifiable to address historic inequalities but it also increases pressure on the governing bodies of the schools in the top two quintiles to replace the lost income through fees or other fundraising activities. The outcome is substantial variations in fee levels at different schools, making it more difficult to achieve the goals of equity and equality. The richer schools are able to protect their privileged position through high fees while the positive discrimination in state funding cannot compensate for the substantial differences in fee levels (Bush and Heystek 2003:130).

The provision on exemption of parents from paying fees has a number of challenges. There are no proper monitoring mechanisms at the level of implementation which will prevent schools from keeping out some parents by using different means to screen those who are unable to pay. The document gives school governing bodies responsibilities to decide which parent to exempt and which not to. The document assumes that parents are knowledgeable with these aspects and other procedures regarding application for exemption. Moreover, the provisions for exemption are based on the assumption that there is reliable information available on which school governing bodies can base their decisions about exemption. However, information is not always accessible by school governing bodies. For example, it is difficult to establish the income of a parent who is engaged in the informal sector where earnings are very irregular. There are parents who do not earn incomes but have livestock worth thousands of rand.

Even if the required information is available, many school governing bodies do not have the capacity to determine parental income and may not be able to engage with the school authority through the bureaucratic exemption process. There are also cases where parents have to support several learners at different schools. While provision for conditional exemption is provided in these cases, less assertive and uninformed parents may suffer unfair treatment. The system considers the combined income of parents rather than household income. In the African tradition, older siblings are often required to support

the younger ones. Hence, household income should be considered instead of parents' combined income. Studies have shown that even if parents who genuinely cannot afford have their children's fees exempted, there is not much that is achieved in terms of equity due to the indirect costs involved (Eicher 1984; CEPD 2003). About a quarter of parental expenditure on education is not included in fees. Expenses for transport, uniform, school bag, lunch, extra-mural activities etc. take much of the income of poor parents. Stationery and uniform for a learner going to secondary school for the first time can cost an excess of between R1 500 and R2 000 (*Sunday Times 9 March 2003*). According to CEPD (2003:18), "the cost of education doubled from 2% to 4% of household expenditure between 1995 and 2000. Indirect costs add as much as 25% to formal school fees".

The Norms and Standards of School Funding does not redress personnel costs in favour of poor schools, like it does for non-personnel costs. Personnel costs still make up the bulk of education budgets. The Eastern Cape is one of the provinces most affected with close to 90% of its budget going to salaries. Some progress have been made in reducing it, but there is still a lot that need to be done to attain the METF target of 80:20 personnel to non-personnel costs (Dielties and Motimele 2003). Therefore, the proportion of the budget transferred from the least poor to the most poor is small and limited to non-personnel funds and is unlikely to have any significant impact on reducing inequalities. Personnel costs are generally distributed equally with a bias towards wealthier schools, which qualify for additional staff based on broader subject choices. More weight is also given to mathematics, science and technical subjects. Schools offering these subjects are allocated more teachers. Former Model C schools are beneficiaries of these (Vally and Tleane 2001; Oldfield 2001). The government has indicated its intention to redistribute personnel in favour of poor schools. The measure involves reduction the number of funded positions from the former Model C schools, while increasing those of disadvantaged schools. However, former Model C schools possess resources that would enable them pay teachers to fill gaps left by those positions that the government might withdraw from.

While the development of resource targeting system is an important step towards attaining equity; it has become apparent that given the extensive prevalence of poverty, the distinction between the poorest quintiles and the next quintiles does not deal adequately with the challenge of inequity (National Treasury 2003). Moreover, in many cases, the least poor in one province are much better funded than the poorest in another province. Despite the fact that the resource targeting system is supposed to address intra-provincial inequities the differences in funding between similar quintiles in different provinces reflect existing inter-provincial inequities. Discussions are underway to review the system. There is also a move to exempt certain categories of learners from paying school fees. Among them is giving learners from households that receive welfare grants an automatic 100% discount on their fees. Hearings on the changes are currently taking place in the Parliamentary Portfolio Committee on Education (*Daily Despatch 29 October 2004*).

The move to review some of the policies can be attributed partly to the pressure exerted by different groups and policy networks that have been calling for a review of education policies to ensure that they enhance the goals of equity and redress. These include the Education Rights Project in collaboration with the University of Witwatersrand Legal Studies, the South African Human Rights Commission and other civil society movements. Review of some of the education policies could also be an act of policy learning by the Department of Education. Among the policies that have been reviewed are a number of provisions in the SASA, Curriculum 2005 and so forth.

The above factors show that despite dramatic measures taken by the government to redistribute resources, education financing policies have not been able to successfully address the existing inequities as expected. The main policy driving the equitable share formula, (which distributes block grant from the national treasury to provincial governments in favour of poor provinces), has not been able to equalise education expenditure across provinces despite the fact that redistribution has been effected (Dielties and Motimele 2003).

The Department of Education (2003) stated that it has been difficult to persuade provinces to spend more on education since there are also high demands from other social sectors such as health and welfare. The policy is affected by two aspects. One of the problems relates to the powers and functions devolved to provinces which enable them to distribute funding according to their own discretion. The responsibility for determining the amounts to be allocated annually to provincial education departments rests with provincial legislatures and provincial governments. This is a problem that is exacerbated by the complex budgeting procedures for the allocation of funds to the provincial departments which are consolidated at provincial government level, and again at national level by the Department of Finance before they are approved by Parliament. However, provincial legislatures have the final say with respect to cross-department allocation at provincial level. It means that the national Department of Education has limited power to enforce education funding norms. This brings again to light the issue of institutional norms, rules and arrangements constraining policy variation and change.

Another aspect which affects education financing is the inadequate amount of resources available from savings for redistribution. Since 1994, there has been an increase in the share of social services from 10% of GDP and 34% of the budget to 15% of GDP and 39% of the budget. The components which increased were: education (from 5% to 7% of GDP); social security and welfare payments (from 1.6% to 3.2% of GDP); and spending on health which remained around 3% (Finance and Fiscal Commission 1998). The education budget was 47 per cent of the total budget after 1994, which was a higher amount than any other budget within the social sector. However, its share decreased during the period between 1995 and 1999. Whereas the social sector budget rose from 44.1 to 47.7 per cent of the total budget between 1993/94 and 1998/99, the education budget remained below 47.4 per cent between 1995/96 and 1998/99 (Nicolau 2001; CEPD 2002). According to CEPD (2003:78), "the proportion of provincial budgets allocated to education dropped from 40 per cent in 1998/99 to 38 per cent in 2001/2002. The latter percentage ranged from just over 34 per cent in the Western Cape to almost 43 per cent in Limpopo".

Education spending for both national and provincial Departments of Education increased only by 14 per cent between 1998/99 and 2000/2001 (CEPD 2003; Fiske and Ladd 2004). During the same period prices rose steadily. This is shown by the price deflators at the bottom of Table XVIII. Thus 14 per cent in actual spending would amount to a decline in real spending. Moreover, provincial education spending which amounts to over 85 per cent of the total education spending also declined in real terms (CEPD 2003). According to Fiske and Ladd (2004:80), "only the inflation adjusted spending of provinces on ordinary public schools appears to have increased, but even that increase was tiny". Trends in education spending in 1997/98 to 2000/2001 are shown in Table XVIII.

Table XVIII: Aggregate Spending on Education 1997/98 to 2000/2001 (in Percentages)

	1997/98	1998/99	1999/2000	2000/2001
Total spending				
National & Provincial (Index)	44.50 (1.00)	45.10 (1.02)	46.70 (1.05)	50.70 (1.14)
Provincial Spending				
Total (Index)	38.50 (1.00)	38.70 (1.01)	39.80 (1.04)	43.30 (1.12)
Ordinary public schools (Index)	28.70 (1.00)	30.60 (1.06)	33.70 (1.17)	36.80 (1.28)
Price deflators				
GDP index	1.00	1.06	1.13	1.22
Government services index	1.00	1.09	1.16	1.24

Source: Fiske, E. & Ladd H. (2004:80)

Hence, inadequate financial resources jeopardised the attainment of equity and redress. Analysts have identified government's macroeconomic policy as one of the factors contributing to the decrease in budget and increase in inadequate financial resources in education (Dielties and Vally 2001; Nicolau 2001; Vally 2001). In the initial two years, the post apartheid government put forward its Reconstruction and Development Programme (RDP) which was developed prior to the 1994 elections. The RDP entailed massive human resource development as one of the key components driving the nation's

economic reconstruction. Under the RDP budgeting for education would be based on needs. However, given the scale of injustices and inequities it was soon realised that there was a need for more investment than the state could afford. According to Sayed:

> The post apartheid dividend of inward growth and external investment was not as huge as expected. In fact the post apartheid economic boom was based mainly on speculative trading. Productive investment was slow and not significant. In this changed conditions, macroeconomic stabilisation and an export led growth strategy were considered key imperatives for change (Sayed 2001:260).

Therefore, the government committed itself to a macroeconomic policy framework, the Growth, Employment and Redistribution (GEAR) strategy to provide stability in the economy and secure resources for greater distributive justice (Dielties and Vally 2001; Nicolau 2001). GEAR is based on an export led strategy with reduced tariff barriers to attract foreign investment and stimulate growth. The strategy emphasizes privatisation of essential state assets and removal of exchange controls. It is aimed at reducing the government's fiscal deficit and is focused on a projected economic growth of 6% per annum. However, GEAR did not attract the amount of required foreign investment as expected and the economy did not grow as anticipated. Emphasis on fiscal discipline and concentration on the reduction of fiscal deficit led to reduction in the education budget. Therefore the additional funding that was anticipated for educational expenditure was not available. Additional funding could only be raised by allowing schools to charge fees; redistribution of resources through the Equitable Shares Formula and resource targeting of poor schools (intra- provincial equity). Given the apartheid legacy and the enormous backlogs, lack of capacity, poor infrastructure and other associated impediments, redistribution of resources was not adequate to address equity and redress. The effects of GEAR were also identified in some studies. Nicolau observed:

> The introduction of GEAR in October 1996 led to a large decrease in the education budget. In 1997/98, the education budget decreased by 0.88% of the total national budget. The decrease was associated with fiscal discipline and notions that the education budget is exceptionally large in comparison to international standards. The introduction of MTEF led to a phenomenal 1.42% increase in the education budget. This is a budgeted figure based on the MTEF assumption that

real growth is 3% in this year. Unfortunately, real growth was only 0.5%, implying that the actual expenditure allocated to education decreased compared to budgeted figure. GEAR resulted in a decrease in both the national and education budgets in 1997/98. The decrease in the education budget was nearly four times more than the national decrease, which means that the education share declined significantly. These budget decreases can be attributed to fiscal discipline and the desire to reduce the fiscal deficit to 3% of GDP (Nicolau 2001:78).

Moreover Fiske and Ladd reiterated:

> GEAR kept interest rates high and focused attention on reducing the deficit rather than on promoting economic growth. The expected new economic investment, however, did not prove to be forthcoming and the result was a significant slowdown in the economy that was far greater than would be predicted by the slowdown in the world economy. The combination of fiscal austerity and the economic slowdown left little leeway for additional public spending of any type (Fiske and Ladd 2004:79).

The above findings show that although the government put in place policies and strategies for redistribution of resources that were geared to enhancing equity and redress, they encountered setbacks and economic constraints.

4.8.4 South African Schools Act: School Governance and Democracy

International organisations and bodies have treated decentralisation and devolution of power and control as a means of solving social, economic and political problems. The World Bank and IMF have pushed developing countries, particularly Sub-Saharan African countries, to adopt decentralisation in their structural adjustment programmes (Harber 2001). This is attributed to a belief that the state in developing countries is plagued by governance problems – that governance is top heavy, centrist, autocratic and incapable of bringing development (Oldfield 2001). In order to bring about effective development, promote effective governance, and enhance democracy and participation there has been a shift towards minimizing the role of the state and enhancing the power of civil society through decentralisation and devolution of powers and responsibilities to lower levels and sites (Sayed 2001; Lewis and Motala 2004). Part I of this Chapter showed how the post-apartheid government of South Africa devolved power and

responsibilities to national, provincial, district, local and school levels. As stated in Chapter I this was also one of the agreements reached in the negotiation process. Similarly SASA required that responsibilities and power devolve to school governing bodies to enhance democracy and increase the participation of communities in decision making. However, there are also economic considerations.

School governing bodies were preferred by both the National Party and the ANC led government. During the negotiations, the apartheid government decided to decentralise power to the school level by giving power to staff and parents to control the running of schools, including collection of fees. This move was also intended to provide an opportunity for white Model C schools to maintain their privileges (Carrim 2001). In the case of the ANC led government the commitment to decentralisation stems from People's Education where the Mass Democratic Movement and NECC advocated the need for education to be rooted in the community and allowing for the active participation of learners, parents and teachers in the process of education (Wolpe 1990; Sayed 1999). In this case an "individual is viewed as self reliant and not hostage to the state and the emphasis is on the citizen who works in civil society for the public good and the assertion of civic virtue" (Harber 2001:18). SASA make provisions for school governance and democracy.

The purpose of SASA was "to develop an accountable and democratically governed school system based on partnership between government, schools and local communities" (Harber 2001:18). It establishes school governance, organisation and funding. According to SASA, governing bodies must be composed of the school principal and elected representatives of parents, teachers, non-teaching staff and learners (in secondary schools). Governing bodies may co-opt non-voting members. Parent representatives must make up the majority of voting members. The governing bodies of public schools are juristic persons, they have legal capacity to enter into binding contracts, to sue and be sued (Department of Education 1996). In order to deal with the heterogeneity of the school system, the Act provides different powers and functions for the governing bodies in different public schools. A basic set of functions are stipulated

for all public school governing bodies (Department of Education 1996). They are required to:

- Develop and adopt a constitution and mission statement for the school;
- Determine admissions policy of the school, subject to important restrictions;
- Administer and control the school property, buildings and grounds, and rent them out for fund raising purposes;
- Recommend to the provincial Department of Education the appointment of teaching and non-teaching staff;
- Develop a budget for the school, which could include school fees for approval at a meeting of parents. All school governing bodies are expected to supplement state funds in order to improve the education they offer, either through school fees or other forms of fund raising.

School fees become compulsory once approved by the parent body. All parents, unless specifically granted exemption, are obliged to pay approved fees. Such exemptions are provided for under the National Norms and Standards for School Funding, which provide that parents who are less able to pay to be fully or partially exempted from school fees (Department of Education 1998). Children may not be removed from a school or be denied access to the school if parents do not or cannot afford to pay fees. However, the school may sue the parents for fees owing. An amendment to the Act in 1997 allows all public schools to use funds that they have raised to employ teachers in addition to those allocated and paid for by the provincial Departments of Education. School governing bodies may also apply to their provincial Education Departments to be allocated additional functions. These may include, but are not limited to, the right to:

- Maintain and improve the school's property, buildings and grounds;
- Determine extra-curricular activities;
- Choose the subject options offered at the school, within the parameters of provincial curriculum policy;
- Purchase textbooks and other materials and equipment.

While the policy provides communities with powers and responsibilities to govern and enhances their democratic right to manage their own schools, a number of observations can be made. SASA provides for parents to constitute a majority of members on school governing bodies. Conceptually, this undermines the principles of democracy because parents are likely to make decisions on every aspect irrespective of the views of other constituencies. In other words, the 'voice' of the parents is privileged over other 'voices' and this could be seen as a form of exclusion. McLennan (2000) observes that the weight given to parental representation on school governing bodies exacerbates the potential for racial conflict at schools, as the majority parents are likely to use the powers given to governing bodies to maintain their group identity. Jansen (2000) has also shown how parents in certain schools took advantage of being in majority on school governing bodies to manipulate aspects like geographical cut off to maintain a particular identity.

Although school governing bodies can apply to provincial Departments of Education to perform additional functions, these powers have been given mostly to former white schools whose governing bodies usually include skilled professionals. However, it is the aim of the government to grant additional powers to all school governing bodies as they become willing and able to exercise them (Pampallis 2002). Currently many have difficulty in fulfilling their basic functions or qualifying for additional functions due to lack of capacity and experience. The differences in the capacities of school governing bodies has given more advantages and privileges to former model C schools which have been able to perform more functions and responsibilities. It has also excluded school governing bodies from some of the public schools that served disadvantaged groups since they lack capacity to perform the functions and responsibilities that they are required to do. Although provincial Departments of Education have conducted training to build capacity of school governing bodies, this has not been adequate due to limited financial resources.

The Act treats stakeholders, like parents on the school governing body, as being uniform and homogenous. This ignores the fact that conceptually parents are seen, treated and classified according to gender, educational qualifications, employment and so forth. The

effect of this is to exclude or affect participation of certain groups of parents. The problem of equal participation by parents in school governing bodies is evident given the fact that some of them are either illiterate and lack capacity, or live far from schools and have to incur transportation costs to attend meetings. This denies some parents participation while at the same time opening opportunities for others to dominate the governing bodies. It also creates different levels of participation in governing bodies as many of those from disadvantaged communities lack experience and capacity and require extensive training. Equally, it opens the doors for principals and other members of school management team, particularly those from schools in the rural areas, to dominate and take over responsibilities that are meant to be executed by the school governing bodies. The issue of participation will be discussed in detail in the section which examines education policy implementation.

School governing bodies are tasked with the responsibility of charging fees and raising funds from other activities to supplement school income. This not only overloads governing bodies with a lot of responsibilities, but also limits their participation in other roles and responsibilities (Delties and Motimele 2003). As discussed Section 4.8.1, user fees have led to continued socio-economic imbalances between rich schools and poor ones. This is manifested in two policies in education financing (provincial equitable funding share formula and Norms and Standards for School Funding). Raising of user fees has been a point of contention because it has the potential for exclusion of people on race and ability to pay. Although the policy makes provision for the exemption of parents who cannot pay user fees, this creates tension between parents and school governing bodies as the responsibility of ensuring equity and redress is shifted from the central government to school governing bodies (Carrim and Tshoane 2000; Sayed 2001).

The establishment of structures to enhance governance and democratic participation at the school level has not succeeded to address existing inequities as stipulated in the goals of SASA. It has led to continued socio-economic imbalances where wealthier schools have been able to maintain and retain their privileges. In response, the national government has issued legislative amendments between 1998 and 2002 that have affected

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the discretion and authority of school governing bodies (Lewis and Motala 2004; RSA 2001). Among the measures taken are:

- An amendment of Employer Educators Act of 1998 placed limits on the powers of school governing bodies to make appointments of teaching and non-teaching staff. The Act gives school governing bodies two months to recommend appointments. After that the provincial Department Head may make decision without input from the school governing body. Moreover, the Head may temporarily transfer an educator from a wealthy school to a needy one without recommendations from the school governing body (RSA 1999).

- In 2001, SASA was amended to limit the functions and obligations of school governing bodies to only those prescribed by the Act (RSA 2001). Heads of Department have been given greater powers to intervene when school governing body fails to meet its responsibilities. At the same time their responsibility to correct the situation through capacity building has been increased. The same Act puts in place mechanisms to ensure responsible financial accountability. A school governing body can no longer take a loan or overdraft without the approval from the education MEC. Restrictions have also been put on the establishment of school trust funds.

- The discretion of school governing bodies' to prepare school budgets. Provision of budget guidelines by the Department of education was changed to budget prescriptions which all school governing bodies are required to follow (RSA 2001).

The above amendments show that the national state is 'tightening screws' to control decentralised sites to ensure that they promote the goals of equity and redress and transformation as a whole (Sayed 2002; Lewis and Motala 2004). They bring to light contradictions and conflicts that arise from arrangements of the structures at the different levels, the allocation of powers and responsibilities and how they function as discussed in Part II of this Chapter.

4.8.5 Curriculum

The initial efforts made toward the transformation of curriculum in South Africa in 1994 focused on ironing out variations in the curriculum used by the different departments of education. This was followed by removing offensive language and content from the apartheid era school syllabi followed by the introduction of continuous assessment in schools (Jansen 1998; Harley and Wedekind 2004). However, the major curriculum change came in 1998 with the introduction of Curriculum 2005. This involved reconceptualisation of teaching and learning, moving away from content based curriculum to one that is based on the principle of an outcomes based education (OBE) and learner centredness (Education Policy Unit, University of Witwatersrand 1997). With OBE both the process and content of learning became important. It put emphasis on outcomes, which stipulated what a learner had to know and be able to do upon completion of a learning process. Learning subjects have been reorganised into eight learning areas, that is: communication, literacy and language learning; numeracy and mathematics; human and social studies; physical and natural resources; technology education; arts and culture; and life orientation. The combination of these learning areas is supposed to allow students to acquire an understanding of, and ability to function in, larger political, social and economic contexts.

OBE focuses on clearly defined outcomes of the learning process, rather than teacher input in terms of the content of the syllabus (Greenstein 1997). The first type of outcomes is critical cross-field outcomes that are more general in nature and are generated across different learning areas. They include, among others, the identification and solution of problems; teamwork; the organisation and analysis of information; effective communication; social and environmental responsibility; and understanding of the interrelated nature of the world as a set of systems that do not exist in isolation. The second kind of outcomes is specific to each learning area and forms the basis for evaluation of progress and effectiveness of learning programmes. Specific outcomes are supposed to be evaluated through continuous assessment model is ongoing and formative or developmental in nature. OBE in schools is consistent with the strategy of the

National Qualification Framework (NQF), which sets a national system that links all the different levels of education to each other (Kraak 1998).

While the introduction of the new curriculum has been hailed as a major progress in changing the education system in South Africa, some contradictions and limitations of OBE have emerged. Education Policy Unit, University of Witwatersrand (1999) outlined the main issues that have emerged in the OBE debate as:

- ideological and philosophical assumptions that underpins OBE, which was described as a conservative technology disguised by populist discourse.
- the implementation context of OBE and the need to establish adequate resourcing strategies if OBE is to work.
- the equity consequences of OBE, with the likelihood that it would succeed only in privileged schools and thus further marginalize students in township and under-resourced schools.

Consequently, Jansen (1999) pointed out that OBE discourse in South Africa drew on a range of various groups with different influences and was not coherent in its origin and further elaboration. Many of the forces that had a stake in OBE were motivated by the need to align education and training with the macroeconomic policy which emphasised a supply side approach, economies of scale and the need to develop a highly skilled labour force (Greenstein 1997). Sedunary (1996:32) observe: "the rapid ascendance and popularity of OBE discourse in South Africa may be attributed to its skilful packaging of the radical language of other educational discourses like liberal progressive (ideals about comprehensive schooling in Australia) and people's education in South Africa. Both cases share common ground in terms of their hostility to an elite schooling system based on divisions between academic and vocational training".

The new curriculum embraced a number of elements that formed the core of people's education, among them, learner-centred approach, participatory governance, critical thinking and democratic nationhood (Jansen 1999; Greenstein 1997; Sedunary 1996). Since contribution to the policy process by popular stakeholders and constituencies like

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those of teachers, parents and learners was very limited, those concepts made OBE more palatable and acceptable. According to Hartley and Wedekind (2004), the new curriculum has been heavily influenced by the past apartheid curriculum and draws a lot from it. They observe:

> Potential tension between goals (such as economic development, on the one hand, and equity and redress on the other) appear to have been elided by the cumulative contribution of the three design features to the transformation agenda. Thus even while focused firmly on the desired future, the curriculum inescapably also carried within it a strong dimension of the past: it was the key instrument. The past was influential in a different kind of a sense too. If the new curriculum were to fulfil its key symbolic function, it would have to be seen to be dichotomous to the 'old' curriculum in every possible aspect (Hartley and Wedekind 2004:198).

Although critical outcomes show commitment to learner-centred rather than content centred learning, they do not encompass skills and abilities that many would consider fundamental to a transformed education system in particular, and in South African society in general. Critical outcomes have also been criticised for failing to reflect a critical awareness of debates about the nature of knowledge (Soudien 1999; Jansen 1998; Greenstein 1997). For instance, although the outcomes show the ability to organise and critically evaluate information as an objective skill, it makes no reference to the way in which the conduct of these activities is often underpinned by ideological and political factors. Consequently, the Department has emphasised that learning programmes and the education system should enable learners and the education system as a whole to earn a living and also to meet the needs of the country's economy (Department of Education 1997).

However, many of the education policy documents have given more weight and emphasis on the ability of education and training to provide learners with skills to work in a "post-fordist, internationally competitive economy. Consideration has not been given to whether such economic policy is suitable to achieve the goals of transformation in South Africa and alternatives which might be more feasible" (Greenstein 1997:11-12). As discussed in Chapter III, the new curriculum was heavily influenced by the views of business. This is so because the latter preferred a curriculum that would enhance

production of skills geared towards improving the economy and meeting the challenges of a competitive global market.

Jansen (1998) discusses a number of limitations of OBE and its negative impact upon South African schools. The following are among the reasons he advances (Jansen 1998:323):

- the language used is complex, confusing and at times contradictory. The jargon laded concepts used in the OBE-NQF discourse is too complicated and can only be understood by experts. They are too difficult and complicated for teachers to understand and apply them in their classrooms. The discourse has been used to exclude teachers and all those not versed in it that is, almost all those outside of the narrow circle that has been involved in the curriculum development work.

- There is a claim that with OBE there would be fundamental changes in the relationship between teachers and learners such that teachers would become facilitators in cooperative learning and no more authority in the process. However, this might not be achievable given the conditions which exist in schools and the fact that no mechanism has been identified for bringing such changes in the classrooms.

- In order for anticipated changes to take place there is need to have highly qualified, theoretically sophisticated and creative teachers. Since such teachers do not exist and the fact that there is no intervention in the classrooms and schools, there is a danger that OBE might be interpreted and applied in a mechanical way. Some teachers would hide behind outcomes while they continue with old practices.

- OBE will entail reorganising teaching, allocating more time to measure learner progress against outcomes, administer continuous assessment and maintaining comprehensive records. This is a heavy load to the already overburdened teachers with high learner numbers. Moreover majority of teachers who are implementers of the new curriculum were not consulted and involved in the process of its development. The new curriculum was imposed on them to implement with very inadequate support.

- In order for OBE to succeed there is a need to introduce a number of factors in schools: train and retrain teachers, new forms of assessment, classroom organisation and time for managing the process, monitoring and evaluation of implementation, training managers and principals, parent support and involvement, new learning resources and opportunities for teacher dialogue and exchange. However, Jansen argued that there was neither funding nor political will for such a radical change.

Although officials from the Department of Education interviewed by Jansen felt that introducing the new curriculum in 1998 might not be feasible, they still prepared for its

implementation in that year. Jansen argued that the initiative to implement the new curriculum at that time was an act of symbolism for the Department and the ANC to be seen as having achieved a major transformation of the curriculum. Govender et.al. (1997:13) echoed a similar statement: "There is tremendous pressure on the department to deliver a new curriculum by 1998. With the next national elections in 1999 there is a perceived political need to have significantly transformed the education system during ANC's first term in office".

However, Jansen argued: "OBE will further undermine the already weak culture of teaching and learning in South African schools by escalating the administrative burden of change at the very time that rationalisation further limits the human resources capacity for managing such change" (Jansen 1998:330). It is evident from the above that OBE as a curriculum to empower learners and equip them with essential skills denied in the past era could continue entrenching past inequalities. Greenstein make the following statement:

> Under conditions in which the quality of teaching, learning and educational performance shows considerable variation between provinces, districts and schools and is linked to material resources race and residence, the success of any new programme is likely to show similar variation. In other words the social and educational context has a crucial impact on the success of policy. Rather than reducing disparities between schools and allowing them all to start afresh on equal footing, innovations have greater chance of being implemented successfully in well resourced schools with more qualified teachers catering to better prepared students. Whatever benefits the new curriculum would bring in its wake, they are more likely to be accrued to those who benefit from the existing system as well, and be denied to those who suffer from poor quality education at present (Greenstein 1997:8).

Moreover, Hartley and Wedekind (2004:200) viewed Curriculum 2005 as a "political instrument, which continued to entrench inequalities between wealthier schools, the majority of which are former white only schools and other public schools which serve previously disadvantaged communities".

Curriculum 2005 has been besieged with a lot of conceptual and implementation problems. A review was conducted in 2000 where different stakeholders and

constituencies were able to provide inputs to the Review Committee. The Committee found that while there was an overwhelming support for Curriculum 2005 especially on the side of teachers, many of them were confused about its design and implementation. "Although C2005 has generated a new debate on teaching and learning, teachers have a rather shallow understanding of the principles of the curriculum" (Report of Review Committee: Executive Summary 2000). Other factors identified in the report are:

- the structure and design of the curriculum are skewed with complex language and confusing terminology, overcrowded curriculum and weaknesses of the specific design features that promote sequence, pace and progression;
- lack of alignment between curriculum and assessment policy;
- inadequate training of teachers; poor quality or unavailability of learning support materials;
- insufficient follow up support; and
- unmanageable and unrealistic time frames. This was also confirmed by respondents from the Eastern Cape Department of Education whose inputs are presented below.

4.8.5.1 <u>Discussions with respondents from different directorates of the Eastern Cape Department of Education</u>

According to the Directorate of Curriculum Development, the implementation of Curriculum 2005 began in 1997 with training of Grade I teachers. Currently, all teachers have been trained and are required to deliver the curriculum. Training of teachers was done through a cascade method. Each regional office had a member of staff who was responsible for coordinating training in the region. Regional officials were trained at the national level. They in turn trained district trainers. District trainers trained teachers. Trainers who trained teachers included subject advisors, college lecturers and staff from teachers' centres which have now been dis-established.

All directorates contacted identified the following problems that hindered the effective implementation of Curriculum 2005 in the Eastern Cape Province:

- Budget constraint. During the 1997/98 financial year, the province experienced serious financial problems. The Department was required to train close to 20 000 teachers in 41 districts, a task which was almost impossible at that time due to lack of funds. However, funding improved after 2000 because of a shift in the budget.

- Shortage of manpower at all levels. The Curriculum Development Directorate had 6 staff members who were required to train teachers in all six learning areas. At the regional level, the staff was also thinly spread, yet they had to undertake many other responsibilities and functions in addition to training educators on Curriculum 2005.

- Some districts had no subject advisors and sometimes education development officers had to assist in training, despite the fact that they were not qualified to do so. Since a cascade model was adopted in training there was a problem of ensuring proper content and quality during the implementation of the Curriculum in the schools. This was exacerbated by the fact that many teachers were unqualified and lacked confidence. Consequently, some teachers resisted changes being introduced in their schools.

- Shortage of learner support materials and other resources. Some schools indicated that they lacked books and other materials and learners were forced to share learning materials for almost the whole year. Some schools offering mathematics, science and technology lacked materials for practical lessons. The Department relied heavily on material resources provided by donors. Transport was a problem experienced in all areas. Subject advisors and other trainers were not able to provide follow up support due to lack of transport, funding and human resources.

4.8.5.2 <u>Discussions with Subject Advisors and Other Training Officials</u>

Interviews conducted with subject advisors and other training officials in the districts included in this study (East London, King William's Town, Alice and Peddie districts)

showed that training was conducted over a one-week period, and thereafter, teachers were expected to implement OBE in schools. College lecturers and staff from dis-established teachers' centres assisted subject advisors in training. However, the following problems were identified by subject advisors:

- Limited human resources. Less than eight subject advisors in each of the districts were expected to conduct training in OBE and other subject areas. EDOs were not keen to assist, although they received initial training in OBE.

- Inadequate transport proved to be a formidable problem in all districts.

- At the provincial level, unqualified people were sent to the national level for training. This posed a problem, as trainers who were not properly trained were unable to train teachers.

- The high pupil-teacher ratio prevented effective implementation of OBE. Many schools experienced teacher shortages, despite redeployment.

- There was lack of clear communication and coordination at district, regional and provincial levels. Although at first teachers were enthusiastic about OBE, but shortage of materials and lack of follow-up support demoralised and demotivated them.

4.8.5.3 Discussions with Teachers and Teacher Organisations

Discussions were held with teachers from the schools that were included in this study. Most of them appreciated the importance of the new curriculum and the need to implement change in schools. Although they had received training in OBE, they felt that the training was too short. It was not accompanied by regular visits to schools and follow up support. As a result, teachers who experienced problems in their schools were not able to receive guidance and feedback from trainers. Schools also experienced shortages of materials and other resources. In most township and rural schools, learners had to rely only on few textbooks including teachers' books. Large classes also hindered the effective implementation of OBE. This experience was identified by teachers in township and rural schools. Those in former Model C schools received regular training with sponsorship from their teacher organisations and also funding from the private sector. They had small classes with adequate learning materials, resource centres and other

facilities that enhanced learning. Slow learners were given individual tuition. Most of the schools had employed additional teachers who were able to assist such learners.

Discussions were also held with teacher organisations, namely; SADTU, NAPTOSA, and Suid-Afrikaanse Onderwysersunie (SAOU). All the three organisations acknowledged the importance of implementing the new curriculum in order to build critical thinking abilities and develop cognitive skills among the learners. They supported the efforts of the Department in providing training to all teachers. However, they made the following observations:

- The Department was not doing enough in training of teachers. There was shortage of subject advisors, and as a result, there was no follow-up support in schools. Since EDOs were not well equipped in OBE, they were not able to assist in training. All teacher organisations were involved in training their members. SAOU raised funds and held annual workshops to equip their members with required skills. Some SADTU members were well conversant with OBE. They collaborated with Departmental officials in training teachers. They also trained key teachers who would in turn train others in the schools.

- Both SADTU and NAPTOSA stated that the redeployment of excess teachers was a useful exercise, which was supposed to alleviate teacher shortages, particularly in the rural areas. However, since the Department based the statistics of teachers on 1998 records, some schools which had fewer learners at that time, had more learners in 1999. Despite the increase in the number of learners, teachers were still redeployed. The Department provided schools with emergency grants for employing extra teachers, but not all of them received the funds. Due to lack of thorough research, teachers were redeployed to teach subjects in which they were not qualified or trained. It was acknowledged by SADTU that many teachers who were required to use OBE were not conversant with the content of the subjects they were teaching. This was also confirmed by members of some of the political parties who felt that priority should have been given to training teachers in the subject matter before introducing OBE.

The Curriculum Review Committee recommended a reduction in the number of learning areas from 8 to 6 while retaining outcomes; scrapping the 66 specific outcomes; and simplifying the complex assessment and performance measures (Harber 2001). A national curriculum statement for the ECD, GET, FET and ABET bands has been formulated and is currently being implemented in some of the classes. However, informal discussions with some of the teachers and district officials revealed that training of teachers, funding and learning materials remains a problem, particularly in township and rural schools.

4.9 Discussions emanating from the Findings

The above findings show that the education policies developed were intended to transform the education sector. However, the findings in Part II identified various factors that affected the policy formulation process. Such factors have led to contradictions and limitations on the type of education policies developed. Some of the factors and constraints identified created opportunities for some communities and groups to maintain existing interests. They also resulted in continued socio-economic imbalances. Similar conclusions as those reached in Part II of this Chapter can be deduced from the above findings. It is evident that the economy and inadequate resources are among other factors that constrain policy change.

CHAPTER V

EDUCATION POLICY IMPLEMENTATION

As indicated in Chapter II, the policy process does not end with the adoption of the policy or legislation but continues with implementation. Contestations that emerge in the policy formulation and adoption stage continue during the implementation stage where policies may be substantially modified, elaborated or even negated, rendering them symbolic (Anderson 1990; Parsons 1995; Dye 1992 and Jansen 2001). Public policy is implemented by a complex system of administrative agencies that perform most of the day-to-day work and therefore are able to affect citizens more directly than any other governmental units (Hogwood and Peters 1983; Farazmand 1997). As discussed in Chapter II, agencies often have much discretion in carrying out the policies under their jurisdiction and therefore do not necessarily or automatically implement what the legislature has proposed (Ham and Hill 1985; Hogwood and Peters 1993). This Chapter examines the implementation of education policies in the Eastern Cape Province. The first part examines the first and second phase of bureaucratic reorganisation and how the structures functioned; and the second part looks at the implementation of the South African Schools Act.

PART I

The Establishment and Functioning of Structures and Bureaucratic Reorganisation

This section looks at the establishment of a single Eastern Cape Department of Education from different racially segregated apartheid era education structures; and the functioning of these structures during the first phase of bureaucratic reorganisation. It also examines how the bureaucracy was reorganised and reoriented to enable the province implement new policies that would transform the system.

5.1	**The First Phase of Bureaucratic Reorganisation: 1994-1998**

*5.1.1	The Establishment of the Eastern Cape Provincial Department of Education Structures*

The Eastern Cape Department of Education was established through the amalgamation of six separately administered Departments of Education, which were controlled and administered by the former Ciskei and Transkei, the House of Assembly, House of Representatives, House of Delegates, and Department of Education and Training. As stated in Chapter IV Section 4.2.1, the establishment of the Department entailed the adoption of a flatter organisational structure to promote a more efficient and responsive service delivery bureaucracy and changing the way the bureaucracy delivered its services (Department of Education 2000e).

A strategic management team (SMT) was put in place to oversee the establishment of the Department. Respondents recalled that the SMT was drawn from people in the previous administrations, labour and other actors outside the government who had been involved in education. The appointment of the SMT in 1994 was over and above the existing management. It was a superstructure that operated over and above the different departments whilst the latter continued to function. This ensured that delivery of education support to the schools remained uninterrupted. The parallel nature of the work of the Department and the SMT coupled with the fact that most of the members were professional educators, created suspicions from other staff that they were restructuring in a way that would pave way for them to take over some of the positions. According to the terms of reference provided by the Department, the SMT was required to:

- Develop a vision and mission statement for that Department.
- Recommend educational reforms in order to attain efficiency and effectiveness of the new Department.
- Make recommendations on how the six administrations could be integrated.
- Make recommendations regarding the structure of the Department for the purpose of achieving the goals and objectives formulated in the mission statement.
- Make inputs towards formulation of policy for the new ministry.

- Assist the Department to determine priorities.
- Make any other recommendations necessary to facilitate the process of restructuring, integration and rationalisation.
- Perform any other task that may be assigned to the team by the MEC.

Many of the people who served in the SMT were absorbed in the new senior management positions in the new provincial department of Education. They were seen as lacking management skills and experience, as opposed to those who served in the apartheid government who possessed more experience and skills.

5.1.2 *The Establishment of Flatter Organisational Structures*

The establishment of the organisational structure of the Eastern Cape provincial Department of Education has to be understood in the context of the broader process of public service transformation throughout South Africa. As stated in Part II of Chapter I, the Eastern Cape provincial Department of Education was a product of six amalgamated former departments of education. Interviews showed that the integration into one uniform system of these diverse working environments comprising different personnel structures, salary scales, finance and provisioning systems posed major challenges and exposed a significant deficiency in the capacity of the provincial Department of Education. Partly due to lack of skills and experience, new procedures and practices were poorly developed, resulting in a complicated network of systems and procedures that were very difficult to manage and control.

The establishment of flatter organisational structures posed a lot of challenge to the newly created Department of Education. In 1995, the first organisational structure was approved for the Department of Education, followed by a second one in 1997. A third structure was established in 1999. The 1995 organisational structure was unrealistic because it provided for 75% more people than those employed (Eastern Cape Department of Education, Culture and Sport 1997). This was redesigned in 1997 but it was not wholly accepted, as there had been no consultation with stakeholders during the initial stages. However, towards the end of 1997, it was approved and the Arts, Culture and Heritage Division became a separate department. The features of the new structure were (Eastern

Cape Department of Education 1999b):

- A head office structure, six regional offices and forty-one district offices.

- Four new directorates were created namely, Planning and Management Information Systems; Education Provision and Management; Human Resources Management; and Financial Management.

- Education Planning, Research and Information Technology was linked closely with policy.

- The Education Management Information System and Information Technology were now catered for in the structure.

- Education Provisions and Management now grouped together all functions that contribute effectively to provisioning and support.

- Finance and Human Resource functions were separated given the large numbers of personnel and finances that the Department managed.

Respondents singled out vacant positions that were not filled as required as one of the major weakness of the 1995 organisational structure. The same thing happened with another organisational structure that was established in 1997. Some respondents stated:

- *In 1997 there were still posts that were not filled. At this point the department still did not know the number of staff that it had. The process of a head count had not been completed and personnel were not loaded onto the existing organogram but held against a parallel structure. The department had released a total of 1187 personnel through the VSP costing in excess of R12m. (Respondent: Human Resources Directorate).*

- *The same problems that beset the old structure in 1995 now affected the new structure in 1997. Absorption led to double parking in the same post. No assessment had been done of existing personnel. As long as staff fulfilled the entry requirements, personnel were absorbed. No assessment of ability or performance was done. A comprehensive head count had not been done in the province. The education department was unable to declare any supernumeraries and the instability of the department continued (Respondent: Curriculum Directorate).*

Although the management structure of the department was relatively small, all the posts were never filled. Even when there was loss of personnel through attrition, the posts

were not filled. A former senior member of management cited examples of positions of education development officers and subject advisors where only 34% of the former were filled and 18% of the latter. Yet both education development officers and subject advisors played a crucial role in overseeing policy implementation and in providing support to schools in the province.

5.1.2.1 <u>Personnel Positions on the Organisational Structure</u>

The recruitment of personnel for the Department was made through the office of the Premier who at that time had an acting Director-General and a legal team. The posts for senior positions were advertised in local and national newspapers. Staff that were in the existing Departments filled positions that were not managerial and strategic. The provincial Service Commission oversaw the appointments by approving organisational structure and using proxies in the interviewing panels. The filling of the posts took place from the top and went progressively to the lower posts. As time caught up with the process, it became more haphazard with increasingly little regard for procedural requirements. This was followed by mass absorption into the lower levels of the structure and, in this way, persons were not recruited but simply absorbed. In filling the organisational structure, they did not match the number of people with available posts.

There was a lot of lateral movement of officers. People received absorption and appointment letters at the same time. Posts were being filled in all departments simultaneously and potential candidates tended to apply for many posts at the same time. This resulted in an officer being appointed to more than one post within a very short period of time. The stability of the department was seriously hampered in this way as opportunities arose simultaneously in all departments for the upward mobility of staff. Serving officials would apply for posts in a number of departments and often they were successful in being appointed to more than one position. Interviews showed that most of the above problems occurred because of lack of departmental coordination in filling the posts. Due to lack of coordination by the Director-General's office, departments competed among themselves for the best candidates.

Chapter Five of the Public Service Act of 1994 provided for the size of the management echelon of the provinces in the integration and amalgamation process. The criterion that was used to determine the size was based on the size of the population of the province. The vastness of the province, lack of infrastructure and the enormous backlogs were not considered in the allocation. The implication of this arrangement is that it constrained the management ability of the province, as there were fewer people in the management echelon to supervise, manage and oversee performance. Many respondents felt that the support staff were too many compared to the line functions and that there was duplications both within and outside the organisational structure. In some instances the support staff were more than the line staff as the department was forced to hold on some staff despite them not having any tasks allocated to them.

5.1.2.2 <u>The Establishment of Regions and Districts</u>

Another feature in the establishment of the new Eastern Cape Provincial Department of Education was the creation of regions and districts and delegation of responsibility and authority. The new provincial Department of Education established six regions and forty one districts. Although responsibilities were delegated to officials in the regions and districts, this was not accompanied by concurrent authority of allocating and directing resources necessary to execute the delegated responsibility. Much effort was devoted to filling posts at head office while the same priority was not given to the regions and districts where delivery was to take place. As directorates, regions and districts were established, there was an imbalance of resource allocation among the levels and within the directorates. This arose largely due to poorly designed organisational structures and dysfunctional management systems that did not reflect departmental priorities. Centralisation of functions and resources at the head office masked inefficiencies and wasted a lot of time of personnel servicing districts as they had to visit the head office for most matters. A respondent remarked:

- *The geographic isolation of the Eastern Cape Department of Education district offices; the lack of efficient Head Office administrative support and infrastructure; weak administrative management capacity; severely restricted resources for non-personal expenses; and an operational breakdown involving suppliers; inefficient financial and provisioning controls; and also the prevalence of a*

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'territorial mentality' encouraged a dysfunctional centralised hierarchical system of service delivery with inattention to functional specifications. All these posed major constraints on the functioning of districts (Respondent: Curriculum Directorate).

There was top down decision-making by senior managers and respondents acknowledged that the rigidly regulated environment stifled the initiative and creativity of district and directorate managers. Although a new organisational structure was designed, the authority remained concentrated in the hands of a few managers, with subordinates awaiting directives or unable to make decisions independently. Many of the respondents expressed the frustration of not being able to act promptly because of having to wait for orders from people from higher echelons. The latter took their time because they lacked experience as much as accountability. While the organisational structure had clearly demarcated areas of responsibility, it failed to provide the necessary authority that would allow staff to undertake their responsibilities effectively.

In the discussions held with district officials, respondents cited the problems they faced as: lack of consultation by head office; lack of clear lines of communication and direction at all levels; having to perform unplanned tasks at very short notice and delays in responding to urgent requests by the head office. These problems stemmed from limitations in the decentralisation process, whereby people were not given enough opportunity to exercise their powers and make decisions on matters under their jurisdiction. A number of examples were cited to illustrate this situation. One of them was that, some directorates in the head office were communicating directly with principals or individual teachers on matters that are supposed to be attended by the EDOs or other officers in the district offices. A principal who was a participant in the focus group discussions cited the following problem with the Head Office:

- *A teacher decided to stay at home for four weeks without sick leave. I informed the district office who in turn wrote to the head office and requested for a substitute teacher. Having had no reply after a long time I employed a substitute teacher since learners were not been taught and were supposed to write matriculation examination. As soon as the substitute teacher started teaching, the absent teacher approached a lawyer who informed the Department that his client had been sick and that he intended to sue for his client being replaced. The head office responded*

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immediately by asking the district office to write and instruct me to terminate the services of the substitute teacher. You can see that they (sic) only responded because of being threatened by a lawyer (Respondent: Principal).

Centralised budgeting also made it very difficult for regional and district offices to act on their plans. The approval of funds for essential activities was delayed, and at times the implementation of some of the activities had to be postponed or abandoned. This affected the implementation of many school development programmes.

It was found out that many decisions which participants said they made without referring them to a higher authority were mainly routine administrative matters, such as approval of the use of government vehicles for official duties, planning activities for their offices and schools, approval of educational tours for schools and organisation of meetings for school governing bodies. In other activities, districts could only make recommendations to the head office. For example, school governing bodies conducted recruitment interviews for teachers and other staff with the assistance of district managers and EDOs. However, approval and appointments were made by the head office. Also, district officials could plan workshops and training for teachers, principals or school governing bodies; but they could not be able to conduct any of them without approval of funding from the head office.

Decisions on activities that were subject to approval by the head office were appointments of teaching and non-teaching staff, funding, extension of curriculum, approval of teachers' leaves, transfers, promotions, suspension and dismissal of staff. The major problems cited by participants were that approvals took long, leading to some essential activities being held in abeyance. Most districts had to send their officials to the head office almost every week to make follow up of some important issues including approval of funds for different activities. This proved expensive given the fact that some of the districts are far from the head office. Many of them, particularly those in the former homelands which were vast and served large numbers of schools, lacked basic facilities like telephones and facsimile machines.

5.1.3 Organisational Culture

In examining the establishment of the new Eastern Cape Provincial Department of Education, we looked at the way the organisational structures were established as well as the organisational culture, namely orientation, attitudes, values, commitment etc. and how it affected the process. The culture of the civil service at the time reflected the organisational background of the people working within it. This was not a homogeneous group of happy workers but people who were suspicious of each other and did not always share a common history or vision for the future. As a respondent stated:

- *The civil service that emerged from amalgamation held opposing views of how the department was to be run as they had come from opposing sides of the education system. This divided the department internally into different groups. The first group was made of those that came from within the civil service and the second one was composed of those that came from outside the formal civil service. Those from the former administration were further divided amongst themselves between those that came from the three different regions that made up the province. The new entrees into the civil service also had political and organisational differences amongst themselves representing their different political organisations and allegiances. All these groups had their own baggage that they brought into the civil service which haunted the attainment of a common positive organisational culture (Respondent: Directorate Physical Resources and Planning).*

Therefore, the organisational cultural milieu was complex, multi faceted and resistant to change. As stated in Section 5.1.1, the Department personnel came from three groups, that is, officials from the former homeland education authorities; officials from the former white education authority and post 1994 political appointees.

The organisational culture was shaped by a command and control management style. There were unclear and confusing lines of authority and accountability. The new Provincial Department of Education faced problems of authority, accountability and responsibility. Administratively, the Department reported and was accountable to the Director General of the province while politically it reported to the Provincial Legislature through the MEC for Education. At the same time the Provincial Department was also accountable to the National Department of Education as the latter sets norms and

standards and requires the former to send progress reports on the provincial educational programmes. Although this changed after 1997 when political heads of provincial Departments of Education were given powers to run their own departments, it brought a lot of confusion, and hampered delivery of service. A respondent remarked:

- *The relationship between the Department and the Ministry was tense. This was as a result of the confusing lines of authority and accountability. Administratively the department was accountable to the Director General but the MEC had to account to the Provincial Legislature and account for what his or her department was doing. The new recruits into the department continued to be political activists whilst employed by the government. Their political histories, organisational accountability and personal networks some times went above and beyond their immediate political heads of the department. Officials in the department held political positions in the party structures where they would interact and report on government's performance. This created tensions in the departments as administratively lower employed staff were reporting to higher political organisations (Respondent: Senior Management Section).*

There was lack of service ethic. Employees viewed public service as a job where they would gain financially rather than a service to the community. Other factors mentioned by respondents as having influenced staff morale, values and aspirations were:

Firstly, regional differentiated access to training and resources. A respondent commented:

- *Not all the former civil servants were the same. There were differences between the ex South African Government employees and those that worked in the homelands. Those that worked for the former South African government had higher levels of skills, were better equipped to be able to perform their tasks and enjoyed better living and working conditions. Those that worked in the former homelands worked under poor conditions and did not have access to skills and opportunities that allowed them to grow as individuals and deliver a good service to the public (Respondent: Human Resources Directorate).*

Secondly, there was lack of job security while others had expectations after a long period of oppression. Some respondents stated:

- *The senior personnel were afraid of losing their jobs. All management positions were advertised and some had to apply for what they believed to be their posts. Carrying out their tasks under*

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their previous government positioned them opposite the political leaders now in power. The future was not secure anymore and everything had to be done to ensure a better future even if this meant leaving the service (Respondent: Senior management Section).

- *The junior personnel had expectations of improved conditions of employment and advancement opportunities. At last higher positions in service were attainable and not the exclusive privilege of whites in the former South Africa and political lackeys of homeland leaders in the Bantustan. There was an expectation of fairness and equality when promotions were to be considered (Respondent: Human Resources Directorate).*

Thirdly, living and working conditions were uninspiring. Bhisho lacked the amenities and other facilities that were available to employees who moved from big towns, particularly Port Elizabeth. Some respondents cited problems of accommodation in Bhisho which separate them from their families.

Fourthly, some appointments were made on political grounds and this proved difficult in coping with old civil service employees who were seen as conservative or resisting change. Some respondents made the following comments:

- *Political appointments were only made at the senior and managerial positions. These political appointees being in senior positions had personnel and programme responsibilities which had to be performed within existing frameworks. The rules of the service however were of the old order. The staff codes were the old procedures. A situation arose where the subordinate knew his or her way around the bureaucracy better than the superior who had recently joined the service. In many instances they came from different political persuasions and this added to the poor working relations (Respondent: Directorate of Physical Resources and Planning).*

- *The overhaul of the civil service started from the top with newly elected political leadership appointing senior managers. The politicians who came into power wanted their own trusted comrades heading, leading and filling the departmental structures. This led to the appointment of persons previously outside government who had served their communities in a totally different manner. For the education department this meant drawing on educationists who until now had worked in organisations that presented an alternate view to that being put forward by the state at that time. These were cadres of the Mass Democratic Movement, exiles and liberation fighters who claimed at last to be working openly in uplifting the conditions of the country's population.*

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Many saw their employment as deployment reflecting the culture that this brought into the service (Respondent: Senior Management Section).

- *Participatory democracy was the organisational principle that guided their former work environments and flat management structures where they were accountable to committees and forums made it difficult to work for a boss or supervisor as was required in the service. The activist could not fit comfortably into the role of government functionary easily. Although the passion for wanting to serve was there, the conditions under which these were to be performed were restrictive to the new recruit into government service (Respondent: Further Education and Training).*

In sum, different cultural orientations, values and beliefs were brought into the Eastern Cape Department of Education by former civil servants from ex-Departments and new ones from outside the government, many of who were former activists. The combination of the above factors tended to encourage a culture of maximising differences rather than building unity and encouraging integration (Department of Education 2000d).

Respondents acknowledged that there was conflict, crisis management and fragmentation of effort, and lack of teamwork. The issue of performance and functioning of the civil servants who served in the apartheid government was raised with some of them and other respondents in the provincial Department of Education. Discussions revealed that most of the civil servants who served in the apartheid government had more skills in terms generic administrative processes. However, they lacked skills in terms of transformation and new management styles. The provincial government provided training to all civil servants that were absorbed in the province, and this included those that served in the apartheid government. Some senior managers in the provincial Department of Education acknowledged that some of those who served in the apartheid government were not willing to adapt to the new approach and continued to make use of old administrative procedures and this affected the pace of the transformation programme.

However, interviews with some of the civil servants who served in the old apartheid government showed that they all realised that they had to change the way they functioned by going through a new orientation programmes. The problem was that there were delays

from the national Department of Education in issuing new regulations. Hence some of the old apartheid regulations which had been abandoned were brought back through the back door (by those civil servants) and were implemented. They acknowledged that some of them were threatened by the new approach and orientation and were not willing or quick enough to adapt to the new changes and this affected the transformation agenda of the Department of Education. Hence the functioning of the structures and implementation of policies took place within the above context and environment.

5.1.4   The Functioning of Structures and Implementation of Policies

In the process of amalgamation, the Department was confronted with a lot of pressure to balance the requirements of institutional transformation and implementation of education policy. It was required to implement policies emanating from both the Department of Public Service and Administration and the National Department of Education. This was due to the transformation and amalgamation of civil service and the six former departments of education taking place simultaneously with transformation. The exercise led to policy overload. There was lack of policy prioritisation and senior managers lacked necessary understanding of core policies. Some respondents offered the following remarks:

- *Many policies are not understood and implemented by everyone in the Department due to culture of non-reading and also not understanding. Many staff do not bother to read and understand the policies and do not input or comment when invited to do so. Due to lack of understanding of policy then, staff fail to implement it in the manner in which it was intended. At times I think they do things deliberately to set others to failure (Respondent: Senior Management Section).*

- *Senior managers from the provincial department who participate in policy development at the national level are required to run workshops to educate other provincial department staff about the new policies. As you are aware the staff is responsible for the implementation of those policies. Most of the times workshops run by senior managers are not informative and people do not get a clear understanding of the policies. That is one of the main reasons for bad policy implementation (Respondent: Curriculum Directorate).*

Another respondent expressed his frustration at how they were required to implement at once all policies coming from the National Department of Education. Because there was no prioritisation of policies, implementation of earlier policies was abandoned as soon as new ones were formulated. There would be a shift on implementing new and current ones, leaving the previous ones unmonitored. A respondent remarked, "*We were not able to say anything because we were told by our Heads that we had to be seen transforming the system. Hence we had to implement as many new policies as possible to show the people that there is change*".

It was acknowledged that policy priorities were being more determined by availability of funds from national government and donors than by the commonly agreed strategic framework. While this could partly be attributed to lack of skills and experience, the responsibility and powers allocated to national and provincial Departments of Education also contributed to non-performance. Some respondents observed:

- *The elected government having gained power was keen to consolidate the transformation and internalise it within the administration. This was done by implementing new policies at a rapid rate. The policies emanated from education and public service administration and resulted in what policy implementers in the department refer to as policy overload. They were unable to prioritise important policies and implement them. The process was driven by deadlines and not by strategic means from the department. The department was not entrusted with the responsibility and freedoms to prioritise and phase in the new policies (Respondent: Finance).*

- *The strategic focus of the Department during this period seemed to have been concentration on either what the national Ministry was passing down to them (and policy flowed out of Pretoria thick and fast) or whatever presented itself as a serious crisis within the province. This placed the Department in a poor position, as it was not so much anticipating changes and engaging with processes so much as being overwhelmed by urgent needs catching them unawares (Respondent: Curriculum Directorate).*

Many of the respondents attributed the above problems to lack of clarity in the division of responsibilities and powers between the national and provincial Departments of Education. Two respondents gave the following comments:

- *New policies were set at the national level without due consideration to the organisational, financial and service delivery implications in the province (Respondent: Finance).*

- *Provincial officials were actually confused by policies passed to them for implementation. The confusion was caused by lack of consistency and coherence in policies and in the structures of governance. People should acknowledge that the relationship between national, provincial, district and school structures of governance had been disrupted and this had to be dealt with if policies were to be implemented (Respondent: Senior Management Section).*

An example was cited where the National Department of Education set teacher: learner ratios that were required to be implemented immediately. The implementation entailed employing close to over 2000 additional teachers without more funding. The provincial Department had to overspend and the consequences were devastating. One respondent recalled:

- *Since no consideration was given to increase in finances, paying additional teachers resulted into a budget/financial crash when the budget could not support the increased salary bill. A moratorium was then placed on the creation and filling of new posts. This had serious impact on the programmes being implemented during that period, as programme budgets were the first to face financial cuts. As a result some school building projects had to be stopped halfway before completion (Respondent: Finance).*

Another example was the administration of the unitary matriculation examination which many respondents felt was imposed on the provincial Departments by the National Department of Education without consideration of financial resources. This task was administratively huge and it turned out to be chaotic. The Eastern Cape was confronted with administrative problems such as lack of control and proper monitoring, paper leaks and many others where provincial administrators were called to account. Most respondents identified Curriculum 2005 and training of members of school governing bodies as policies that had to be implemented by the provincial Department without consideration of funding.

Frequent change of both the political heads and senior managers destabilised the Department and continuity of policy and programme implementation. This was

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exacerbated by lack of proper coordination and communication between the political head and the administration. There were frequent interferences with the work of senior managers by political heads. In many cases, the new incumbents abandoned programmes that were conceptualised, initiated and implemented by predecessors when they took office.

5.1.5   Planning and Provisioning

In the period between 1994 and 1997, planning proved to be very difficult for the new provincial Department of Education. Old and cumbersome procedures inherited from different era were in place; political and administrative heads were changed frequently; and the Department was open to whoever would fund a planning exercise.

 Planning exercises lacked continuity and had no long-term sustainability. In most cases they were governed by funders' priorities and cycles and without regard to the needs of the Department. Hence the Department was at the mercy of donors' funding priorities as it did not have a strategic approach to them. As a result, donors tended to lead rather than to follow departmental planning. A respondent stated:

- *Funding priorities were determined by donor agencies and for as long as education and the Eastern Cape were on their priority list, they assisted with planning (Respondent: Curriculum Directorate).*

The Department's dependence on donors and consultants was also evident as it sought solutions to some of the problems encountered in planning while at the same time continuing with service delivery. Under those circumstances, it sought suggestions and was inundated with solutions from NGOs and consultants, while donors provided funding. In the first three years following the establishment of the department, there were at least three different strategic plans drawn up by three different foreign countries represented by their aid agencies.

 There was lack of data and information on important aspects essential for transforming the education system in the province. Interviews showed that the Department lacked

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adequate information on teachers and learners, infrastructure, equipment and other facilities in the province. Such information would enable them to do proper budgeting and planning so that they would be able to direct resources and expenditure in areas of policy priorities in accordance with Departmental and provincial goals. Respondents showed how lack of data also affected the provision and location of school buildings:

- *The list of schools to be built was submitted to the Public Works Department. As it was not verified before actual work of building started, it resulted in problems where more was built than necessary and prioritisation was through what traditional chiefs who were the authority in rural areas decided was a priority. Lack of coordination also resulted in schools being built where there were no access roads or water provision. The RDP programme in its support of emerging contractors resulted in building programmes not meeting deadlines and poor workmanship in some instances. Tenders were not properly elicited and the capacity of contractors not fully verified before contracts were awarded (Respondent: Departmental Directorate of Physical Resources and Planning).*

The Department had to fund projects established and implemented during the previous apartheid regime due to contractual obligations and prior commitments, and this causing cash flow problems. Some respondents made the following comments:

- *A major focus of planning in the province entailed the refocusing or spending away from areas that were resourced to areas that were under-resourced. The newly established department faced the problem of projects that were commited by the old government. The department could not get out of agreements already in place and in this way budgets for future projects were already commited (Respondent: Senior Management).*

The payroll included a number of ghost schools and teachers, which meant wasting scarce financial resources that could have been used in needy priority areas. Although the Department had produced annual plans, they had not been endorsed, supported and implemented with commitment from within. As there were frequent changes of top leadership, predecessors' plans were discarded by incoming leaders only to start their own planning. Two respondents stated:

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- *The department also faced the problem of the lack of continuity at the level of leadership both politically and administratively. The new incumbents did not trust the previous heads choices and wished to implement plans that they were familiar with. Strategic plans would then be drawn up using different analytical tools and lower level staff began to lose faith in the leadership ability to plan and follow things through (Respondent: Senior Management).*

- *The strategic management team report reflects some of the problems of lack of continuity by senior managers and political leaders. This was the first strategic plan of the department and it had legitimacy problems from the onset. The SMT was set up by the first MEC of the department of education, set up their terms of reference and was part of the processes of developing the report. Less than a month before the report was to be tabled in the legislature the MEC was changed and the report was tabled by the incoming MEC. The process from there to a planning session and implementation never really got around and the subsequent planning sessions reverted to discussing deployment and filling of key positions (Respondent: Directorate of General Education and Training).*

In any organisation, planning requires cooperation and teamwork in order to achieve a wider and greater impact that combined effort and focused expenditure can yield. It was found that the Department only followed demand. There was no consideration given to adopting a systematically integrated approach to planning. An example cited by some respondents was classrooms that were built without planning for attendant needs such as teachers, books, learner support materials, water, electricity etc. Without coordinated planning through links across directorates, policy implementation continued to be compromised as each directorate did their plans and activities separately. Respondents from the regions and districts explained how they received instructions from directorates to perform different tasks at the same time.

The physical dispersion of head office also militated against co-ordinated planning. The head office of the department was dispersed in three locations in Bhisho, five in East London, six in King William's Town and one in Zwelitsha. This happened because the department of Public Works and Roads could not accommodate the provincial Department of Education in one government building to enable it to establish a single physical head office. This factor complicated the management of the Department and the education functions. A respondent remarked:

- *The arrangement upset and affected adversely the day-to-day running the department and co-ordination of services and constrained cooperation between the functional components of the Department (Respondent: Directorate Physical Resources and Planning).*

However, currently most of the directorates are housed in the same building complex in Zwelitsha, so it is hoped that there will be improvement.

Monitoring is a crucial function in planning. It enables planners to identify bottlenecks thus providing management with ways to resolve problems as they rise, it allows programmes and projects to be adjusted to enhance delivery, and it provides a better understanding of impact of delivery on the ground. Most respondents acknowledged that the Department has been functioning without a system for monitoring problems and achievements in implementation of its plans and programmes. The Public Finance Management Act required the establishment of a performance management system, a form of monitoring mechanism. However, this was not yet fully operational within the Department.

Donor agencies are a source of funding to enable the provincial Department of Education to implement national policies. Respondents expressed fear that these agencies have overly influenced departmental planning through their funding of specific development priorities. Since 1997 considerable donor funding has been received for infrastructure development. Japanese development funds were used to build schools in the eastern region of the province. The European Union also built many schools throughout the province and had an ongoing development programme. Local corporations or businesses have put up school buildings through fundraising programmes initiated by former president Nelson Mandela. The Department has been required to provide facilities like desks, learning materials etc. However, due to lack of proper coordination there have been cases where handing over of such school buildings has had to be postponed because the Department had not supplied what was required. Respondents identified other major problems in the project:

- *Since this programme was mainly done on the request of communities, it happened that schools were built haphazardly without taking into consideration the Department's plans. You would sometimes find a school built next door to another one simply because the community requested, without taking into consideration the real need. At times the department would not have planned or put aside funding for different facilities. Therefore funds planned for other activities had to be used (respondent: Directorate of Physical Resources and Planning).*

Coordination of donor activities and sustaining the programmes and projects when they pull out was identified as a major problem of the Department by many of the respondents. However, the respondents also identified some positive measures that were being taken by the Department to improve planning. The Department established the Education Management and Information System (EMIS) in 1997. EMIS data's comprehensiveness and validity was problematic during the initial stages as many school managers were reluctant to submit their tenth day and annual returns. The tenth day returns were data submitted to the Department on the tenth day after opening showing enrolments for the year. Respondents stated that the rate of return only improved in 2000 and all data was captured. However, it was discovered that the numbers in the returns were inflated and without means of verification, the database was rendered unreliable. An inter-directorate EMIS committee was established to explore how the data can be used in future planning, an action which was seen by some respondents as a commitment to improve planning in the Department.

In order to improve the planning process, in 2000 the Department formulated a Corporate Plan (2000 to 2004) with emphasis on multi year planning and identification of policy priorities. The Corporate Plan will be discussed in the next section.

5.1.6 Financial Management

In the period before 1997, the financial system was decentralised, each provincial Department managing its own finances. In education, there was dual responsibility whereby strategic managers controlled expenditure while the former heads of old departments of education signed cheques. However, the budget was not properly consolidated. Lack of clarity on financial management resulted in cash flow problems.

Staff received very little training in financial management. Despite the fact that some of them had been managers before the change, they were not able to manage the new department. According to the Eastern Cape Department of Education:

> Staff did not adequately follow financial checking systems, and routinely attached multiple commitments to funds. Because separate financial systems were being run, managers did not always know how much money their department was spending. Expenditure reports were out years after, and only then showed overspending. Without financial information management, decision-making was largely a matter of hit and miss. This was compounded by the fact that the Eastern Cape Department of Education lacked basic office infrastructure like computers, which slowed down the financial reporting process, and saw some components of the Eastern Cape Department of Education still using manual systems (Eastern Cape Department of Education 1999e: 28).

Some respondents echoed the same problems as those identified in the above report:

- *Much of the financial management problems could be attributed to having unqualified financial managers and personnel who were entrusted to take care of the entire Departmental budget which was very big. There was also lack of proper financial information to facilitate management decision making. Another factor was the use of manual systems and lack of infrastructure, which hampered communication and coordination between regions and head office. Money spent in a region would be recorded by hand in a file. Everything took longer to do and cost more money due to underdeveloped infrastructure and poor communication systems. For example, calling a meeting could not be done by phone or fax because facilities were not available in most regions and districts. Therefore, people had to drive for two hours to a place just to set up a meeting (Respondent: Senior Management).*

- *There was a lack of coordination and accountability on financial matters, and there was unequal utilisation of resources. Some regional directors overspent, as there was no proper consultation between the regions and head office. Lack of capacity and skills in financial management among managers was also a contributing factor to the financial problems of the Department (Respondent: Finance).*

The Department encountered severe administrative difficulties associated with integrating personnel data from ex-departments into one common payroll system; redirecting resource to priority programmes; addressing accounting irregularities and filing

problems. There were many incidences of financial mismanagement, fraud and corruption. Some respondents remarked:

- *Standing committee reports from 1997 reflected persistent problems within the Department of Education, such as certain staff having two PERSAL numbers, in other words collecting two salaries and this was being investigated (Respondent: General Education and Training).*

- *The MEC at the time felt that nobody really benefited from the financial crisis, but there is evidence of serious fraud and corruption within the Department of Education. For example in 1997 about 100 cases were being investigated and the amount of funds misappropriated was over R 1 272 000. Cases were being reported to the police and the Legal Section had formulated charges against the Deputy Director and Assistant Director of salaries at the time. There were also problems with duplicate salary cheques being printed and all were being investigated by the police. The bank reconciliation for the period of April to August 1997 was not done mainly because there were no officials trained to do that job (Respondent: Finance Directorate).*

Consequently, the Department was also confronted with problems of inadequate financial resources. It had to service new and old debts from ex-departments and address inherited backlogs. Contractors and other service providers were not paid and the Department was highly indebted. Before 1997, backlogs and inherited debts were not initially factored in when allocation of funds for the provinces was being considered at the national level. A respondent stated:

- *During the period 1994 to 1997 the provincial Department operated each financial year as if it were a clean slate, not carrying debts over into the following year's budget. By 1998 the Department owed millions to different suppliers and service providers. Builders, publishers etc. were not paid. The department also picked up old debts from the six previous departments of education, for example telephone and electricity bills. Things started to turn around only in 1998 when the former MEC of Finance took over the financial management of the department and started budgeting new money for servicing old debts (Respondent: Finance Directorate).*

Discussions were held with representatives of churches which had public schools on their properties. According to SASA (1996) the Department is supposed to pay for the use of private property and in return, the owner is required to "maintain and improve school buildings and the property on which the school stands and the supply of necessary

services" (SASA 1996:14). The majority of the respondents expressed their disappointment that the Department did not make payments as stipulated in the Act. Often they had to close schools and send learners away because they could not pay for electricity or make necessary repairs and maintenance due to delays or non-payment from the Department. Respondents from the Eastern Cape Christian Council of South Africa (ECCCSA) also echoed similar problems concerning payments for suppliers of materials and textbooks to the schools in the province. The ECCCSA undertook mentoring some of the schools in the impoverished and disadvantaged areas. They found out that non-delivery of textbooks and other learning materials was the result of the Department not paying debts on time. Suppliers had to use their own resources most of the time and as a result often they incurred losses. Because of this, they had to stop delivery of the items to schools.

The Department also had to commit funds for running projects, which were initiated by ex-departments. This made it difficult to start new projects, as old projects were still being serviced (Eastern Cape Department of Education 1998). A respondent stated:

- *In the western half of the province schools had transport and electricity for their pupils, while the eastern half did not have the same benefits. In 1994 when the government changed and funds were scarce, these advantages were not taken away from the western half of the province, as politicians felt that they could not undermine these areas. As a result the budget went more to the west of the province than the east. This carry over from the past with funds already limited left very little room for manoeuvre. The total envelope for each year was not increasing at the same rate as the demands on the ground (Respondent: Finance Directorate).*

Another respondent commented:

- *Because the Department had to continue to put allocated funds to programmes that were started during the apartheid era which favoured already better regions and areas of the province, failed inability to redirect expenditure to previously disadvantaged areas was most unfortunate, and resulted in little visible change in delivery following the change in government. Changing this pattern of expenditure was difficult as the incremental approach to budgeting which was being practised then only entrenched past practices (Respondent: Finance Directorate)*

The problem of inadequate funding was also compounded by the fact that all government Departments in the Eastern Cape tended to suffer from a large wage bill. This limited availability of funds for addressing running costs and infrastructural needs was very crucial in addressing inequities and redressing past imbalances. As shown in Chapter IV, the Eastern Cape Department of Education had very high personnel expenditure. This was driven by national agreements which led to adjustment of salary structures of personnel in the different amalgamated departments to enhance equity since each entity paid different salary scales. By 1998/9, the Eastern Cape Department of Education personnel expenditure peaked at 92%, in excess of the international norm of 80% (Eastern Cape Department of Education 2001). Many respondents acknowledged that this led to insufficient funds for non-personnel expenses and numerous embarrassing incidents such as schools running out of chalk, electricity and water cuts.

Respondents expressed concern about the budgeting process during the period between 1994 and 1997 not being inclusive of Departmental staff, teachers and other relevant stakeholders. Following the announcement of the budget vote, the Administrative Support Services Section would allocate funds to different directorates. It was only after 1997 that different sections and directorates got more involved in internal budgeting.

Due to the crisis that emerged from financial decentralisation in 1997, the financial system was centralised under Section 100 of the Constitution and the responsibility for Eastern Cape Department of Education's financial management was placed under the MEC of Finance. This means that staff had to report to Treasury on a computerised system where stringent measures were put in place. Before payments for services incurred by the Department could be effected, payments costing had to be provided and budgets had to be checked to ensure that proposed expenditure matched with what was in the system. Financial Management Systems had not been extended to all sections of the Department, and not all of them could conduct the above exercise. There were no internal controls in place and audit systems were lacking. The Treasury performed most of these functions due to centralisation, and this delayed the Department from developing some of the systems (Eastern Cape Department of Education 1999).

In order to have effective implementation and delivery of prioritised planned activities and programmes proper budgeting is needed. Before 1997, the Eastern Cape Department of Education used incremental budgeting with a 5% increment simply being added on the previous year's budget. After 1997, there were no significant changes although there were moves to make the budget geared more towards policy priorities by encouraging zero based budgeting.

After 1997, there were more interactions between the executive budget committee headed by the MEC of Finance and Departments to discuss their budgets. ECSECC Report explains the general trend in Departments thus:

> The general trend was that departments would request more funds than needed, knowing that they would get less than they asked for. The committee then made recommendations based on executive priorities. The prevailing rule-of-thumb over this period was that 85% of the provincial budget would go to education, health and welfare as key priorities. The MEC for Finance would then table a budget for all the departments, based on the programmes they had submitted. Each department then had to direct these funds towards the programmes for which monies had been allocated (ECSECC 2001:33).

In 1998 there was an attempt to abandon incremental budgeting. The new budgeting approach suggested that the budget had to be aligned with priorities identified for the MTEF cycle (Eastern Cape Department of Education 2000c). However, there was no evidence of moves to allocate budget in accordance with priority activities and programmes as the Department continued to work on yearly budgets. Until 1998, debt was not factored into the budget. New systems were introduced from 1998 to repay debt, and the expertise brought in from the Department of Finance oriented staff in budgeting and financial procedures. Inherited and current departmental debt resulted in the Treasury holding back non-personnel allocations that had been committed in the budget speech. There were cases where financial reports showed under-spending, when in actual fact funds were never disbursed or released (Eastern Cape Department of Education 2000a).

5.1.7   Human Resources Management

After 1994, the new Eastern Cape Department of Education, which resulted from the amalgamation process, lacked human resource management plans (ECSECC 2001). This posed a lot of problems, which affected a number of other areas. There were no proper job descriptions and work plans were undeveloped. There were insufficient systems for monitoring staff performance. Without adequate human resource management structures there was no implementation of a performance management system. A respondent gave the following comment:

- *Staff did not understand the new organogram, and were not clear of their responsibilities due to the instability of the department. Due to poor management practices, no work-plans were ever drawn up for staff between 1994 and 1997. In addition there was no performance management system put in place. Clearly staff had little guidance in the difficult period of 1994 to 1997. It was also difficult to address poor performance due to lack of proper human resource management system. Attitudes from inherited staff opposed to transformation were difficult to confront (Respondent: General Education and Training Directorate).*

Another concern raised by respondents was that there was poor career planning and incentives. Very few human resource development programmes were implemented and where this was done, they were implemented in a very uncoordinated and haphazard manner. A respondent gave comment on human resource development:

- *What training had occurred was uncoordinated and mostly in response to opportunities individuals saw to develop their careers. Training had been provided by Fort Hare Institute of Government and was not linked to a set programme within the Department although some sort of training needs analysis had been done (Respondent: Directorate of District Development).*

- *Human resource management was new in the public sector and there was little understanding at head office that it meant more than just uncoordinated training. Since the department was always responding to crisis, the human resource management section had its focus diverted to whatever crisis that requires attention even if it was not related to human resources. They would receive all left overs of work that needed urgent attention. Another aspect is staff who had taken study leave and gone for training on their own initiative very often left the department of education to take up*

other posts soon after completing the training. However, the section became more focused since 1997 (Respondent: Directorate of Human Resource Management).

Respondents acknowledged that plans were not developed regularly. Erratic work planning or lack of it, further undermined effective management and as stated Section 5.1.2, appointments to positions on the organogram were problematic and often led to inefficiencies because people were not qualified to fulfil a range of the functions stipulated. Some employees were not loaded on the personnel salary system (PERSAL) and this brought a lot of rift and grievances between management and trade unions. Another arose from some staff members, mostly those from the former Transkei, who had promoted themselves fearing that they would be put in lower positions in the amalgamated structure. This brought a lot of acrimony and some of them had to reimburse the Department for the excess benefits and remuneration acquired as a result of irregular promotions.

Voluntary retirement robbed the province some of the most experienced people. As the provincial Department of Education was being restructured, a number of staff were required to be retrenched. However, the sunset clause provided that civil servants who served in the apartheid government were not to be retired until after five years. Hence the Department offered voluntary severance packages for those who wanted to take early retirement. Unfortunately those who opted to leave were the more skilled and experienced staff that could not easily be replaced. A respondent confirmed:

- *The amount that an official would be paid was related to the numbers of years of service that the particular official had in the service. Longer serving officials stood to benefit greatly from the application of this tool as their pay out was substantial. This resulted in skilled personnel who knew that they had marketable skills leaving the department. They were easily absorbed into the private sector and went with a golden handshake. Many opted for this rather than face an uncertain future in the service (Respondent: Human resources Directorate).*

Although there were slight improvements, many of the above problems continued after 1997. Monitoring and improvement of work was hampered by a lack of essential administrative support systems. There was top down decision-making by senior managers

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and respondents acknowledged that the rigidly regulated environment stifled the initiative and creativity of district and directorate managers. Although a new organisational structure was designed, the authority remained concentrated in the hands of a few managers, with subordinates awaiting directives or unable to make decisions independently. Many of the respondents expressed the frustration of not being able to act promptly. They had to wait for orders from those in higher echelon who took their time because they also lacked experience. While the organisational structure demarcated areas of responsibility clearly, it failed to provide the necessary authority that would allow staff to undertake their responsibilities effectively. A respondent lamented:

- *Lower level managers were not treated as professionals. They were not availed opportunities and privileges to take initiatives, apply their creative skills and knowledge and participate in decision making. Even a simple letter has to be approved and signed at the top (Respondent: Directorate of Human Resources Management).*

5.1.7.1 <u>Establishment of Directorate of Human Resources</u>

The Directorate of Human Resources was established after 1997 and was made up of three components, namely; Human Resources Development, Human Resources Administration, and Labour Relations (Eastern Cape Department of Education 2000f). The directorate was responsible for close to 68 000 educators and 8 000 non-educators servicing about 2.3 million school learners with a personnel budget of R 6.3 billion in 1999–2000 (Eastern Cape Department of Education 2000a). Human Resources Development was charged with organisational development, all aspects of employee welfare and capacity building. Human Resources Administration was responsible for all personnel practices that is, recruitment, placement, compensation, performance management and general compliance with personnel policies. Labour Relations was responsible for industrial relations agreements and concerns. All the three components together were responsible for employee productivity and performance.

Managing and integrating personnel from diverse apartheid era departments encountered numerous problems and created tension. Most of the respondents said that many individuals were not fully prepared to discharge their responsibilities, and in some cases,

personnel were wrongly placed without regard to their qualification and experience. The following issues regarding staff recruitment and performance emerged from discussions and interviews held with departmental officials:

- All staff from amalgamated departments of education except for those who opted for retrenchment packages were absorbed. As indicated in Section 5.1.2, there was a large number of excess staff. The Director of Human Resources gave an example of the former Ciskei administration staff who were dismissed because they participated in a strike in 1992. They were subsequently replaced. However, with the establishment of the new provincial Department of Education in 1995, dismissed staff and replacements were absorbed leading to "double parking" in jobs. A respondent from NEHAWU confirmed that 3 000 of their members had been dismissed but almost all of them subsequently were absorbed. The problem with many of the people who were absorbed is that they lacked the right qualifications, a factor which affected performance adversely. Therefore, the Department was stuck with a large number of extra staff that lacked the required skills.

- Bureaucrats who had served in the apartheid government were seen as people with at least some generic administrative skills and were therefore expected to guide the new political leadership in the running and managing of the provincial Department of Education. However, lack of commitment to transformation by some of them undermined the implementation of a number of the programmes.

- Many respondents saw the employment of professional teachers and former ANC activists as another handicap in the performance of the Department. They felt that these cadres lacked the required experience and were likely to be manipulated by those who were against transformation. Moreover, the majority of professional teachers that were recruited were members of ruling party. Most of them lacked experience, they had not occupied similar positions before, nor had they received any training in management and administration of the public sector.

- Administrators in the former homelands carried out promotions of civil servants against regulations in order to put themselves at par with the rest in the former South Africa. They claimed that those that would be absorbed in the new

Department were likely to lose out. There were also allegations of corruption, anarchy and unfair promotions which prompted various enquiries by both national and provincial Departments. The focus of the inquiries was the former Transkei where most of the illegal and unfair promotions took place.

Therefore, according to ECSECC (2001:16): "the management systems were improperly operationalised, run by unprepared staff and disregarded by managers." While the respondents acknowledged that the situation was bad, they felt that it was exacerbated by what was happening during that time, that is:

- Rapid policy changes required the acquisition of a constantly changing number of competencies.
- Departmental functions and processes were frequently restructured and realigned, requiring personnel to readjust to new roles and new funding regimes and opportunities.
- Rapidly changing roles, functions and responsibilities meant that definitions were not developed in time, thus creating confusion.

The above factors called for intensive training of staff. However, respondents stated they were not satisfied with the progress of training and retraining of staff as it was moving at a very slow pace. A respondent remarked:

- *There was need for continuous training. Given the rapid staff turnover, personnel were in a continuously unsettled state of learning or needing to update their skills (Respondent: Curriculum Development Directorate).*

Many respondents felt that human resources management problems played a major role in the crises that the provincial department faced. The fact that senior management posts were not filled led to weak capacity in budget management and control of expenditure. The outcome was centralisation of financial systems, which hampered day-to-day operations of districts and schools due to distance from the head office. Lack of capacity and skills among civil servants was exacerbated by the implementation of voluntary retirement plan.

The Department used a performance appraisal system after 1997. According to the respondents, the system was inadequate because rewards were based on long service only and many people felt that this criterion on its own was not adequate. Moreover, it was applied in a fragmented and erratic manner and this led to its legitimacy being doubted. A new system was developed nationally but there were delay in its implementing in the Eastern Cape. A respondent provided the reasons for the delay:

- *The new system required an assessment of the staff complement and a declaration from individual workers on which to base performance measures. Implementing the system also raised other issues such as the format and source of information to be gathered, the system's contingency on a business planning system, the measuring of performance as an indicator of transformation, the role of unions, attitudinal issues and uncertainty whether managers were commited to act on the outcome of appraisals (Respondent: Human Resources Directorate).*

5.1.7.2 Labour Relations Procedures

Stipulated labour relations procedures were agreed upon at national and provincial levels. They were within standards of good practice advanced by the Department of Labour. A number of factors hampered their implementation (Department of Education, 2000a):

- Reluctance of managers to take measures against employees who went against procedures.
- Trade Unions put obstacles by not agreeing to participate in any other aspect besides representing employees in disciplinary hearings.
- There were a lot of delays before a disciplinary hearing was effected.
- Grievance procedures were not integrated into managerial processes to enable them to address the cause of employee dissatisfaction.
- Employees were not willing to initiate grievance hearings because they feared victimisation by managers.

5.1.7.3 Other Aspects of Human Resource Management Plans

After 1997, a number of human resource management related plans were put in place (Eastern Cape Department of Education 2000c). Among such plans were a comprehensive Human Resources Management Plan, which was being implemented

within the department. Others were the Employment Equity Plan, the Workplace Skills Development Plan, and provincial plans and policies on the recruitment and retirement of staff (Redeployment Policy, Succession Strategy, Bursary Policy, HIV/AIDS Strategy, and Affirmative Action Strategy) (Eastern Cape Department of Education 2000f). Respondents acknowledged that some of the plans did not adhere to other policies. They also stated that most of them existed only on paper and that no proper implementation had taken place.

The above findings showed that the first phase of bureaucratic reorganisation which also entailed amalgamation of apartheid era departments into a single Department was beset with problems that affected adversely the successful implementation of policies. Many of the problems have been discussed in the findings in Part I of Chapter IV. The Eastern Cape Department of Education was the worst hit and most affected by implementation problems as identified in the Ncholo Report and other reviews that took place. As in other provincial Departments of Education, it necessitated a further restructuring and reorganisation of the Department in order to pursue the transformative agenda more effectively.

5.2   The Second Phase of Bureaucratic Reorganisation: 1999-

The Department established the Corporate Plan and District Development Programme which adopted elements of public managerialist model in reorganisation. An analysis of the Strategic Plan showed that the 1997 organisational structure did not fully serve plans and policy objectives. It was decided that changes had to be made to align the structures with their organisational goals more effectively and establish strategic priorities. This called for the creation of "a single, leaner head office structure to determine policy and provide leadership, support and direction to the distinct structures. New functional alignments and levels of functional units were proposed: Planning and Management Implementation Systems; Education Provision and Management; Human Resource Management; and Financial Management" (Eastern Cape Department of Education 2000d). It was also recommended that 41 districts be merged to form 24 district offices as centres of education service delivery (Eastern Cape Department of Education 2000d).

This would leave a leaner head office, which would determine policy and provide leadership, support and direction to district structures. Districts were given more managerial and financial responsibilities and powers and became accountable for policy implementation and service delivery.

5.2.1   The Corporate Plan (2000 – 2004)

Initially the planning process was conceived as a retreat or *bosberaad* with a plan as the output. Such plans were predominantly sets of intentions without defined programmes, indicators and timeframes and largely unrelated to available resources. In 1999 the Department formed a Strategic Planning Committee under the then Head of Department, Mr. Jonathan Godden. The Committee included the British government's Department for International Development (DFID) advisors who were also running a 'whole school development' project called Imbewu. However, the planning process was disrupted with the departure of Mr. Godden. The exercise stopped until 2000 when the then MEC, Mr. Stone Sizani, set up a new planning team that finalised the work of the first Strategic Committee. A Corporate Plan (2000 – 2004) was produced that marked a fundamental shift from annual strategic plans to multi year planning associated with the METF budgeting process which identifies policy priorities. Respondents stated:

- *The corporate plan identified the inherent weaknesses needed to be addressed in order for us as Department to achieve the objectives of an effective and efficient education system. Since all key stakeholders accepted it, the development of the plan served to mobilise consensus among departmental officials tasked with implementing key priorities of the plan (Respondent: Senior Manager from the Department).*

- *The plan has given the Department a basis for planning and coordination across directorates, and served as the basis for organizational reconfiguration and resource allocation. It is also the basis upon which programmes can be developed, information and resources mobilized, and suitable partners found for support and collaboration (Respondent: Physical Resources and Planning Directorate).*

The Corporate Plan outlined the core business of the provincial Department of Education as being policy implementation and adjustment; research and planning; management of

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resources and support services; and monitoring and evaluation (Eastern Cape Department of Education 2000). It outlined the Department's strategic objectives as:

- Provision of meaningful GET and FET systems.
- Successful interaction through a relevant and integrated curriculum framework.
- Providing physical resources that benefit the stature of teachers and learners.
- Professional development of educators to meet the challenges of the new century.
- Addressing the scourge of HIV/AIDS.
- Development of self managing districts and institutes.
- Make governance levels work effectively and efficiently.
- Eradication of illiteracy and the development of skills for self-employment

The above measures are positive and the challenge lies in following through to ensure that the plan is translated into practice. Respondents outlined the main challenges in the implementation of the plan as lack of capacity in human resources. In addition, at the time of data collection, the required financial and management information systems had not been put in place. Both the political and the head of department, the two leaders who initiated the corporate plan left the Department before implementation of the plan. Moreover, due to persistent problems, the Eastern Cape Department of Education was being assisted by an Interim Task Team established by the national Department to investigate performance problems as well as advise and guide directorates in their functions.

5.2.2   The New District System

According to the Eastern Cape Department of Education, the establishment of the district development programme meant that the education system was being transformed through a process of decentralisation. Decentralised district offices are required to drive the transformation process by bringing service delivery closer to the school community and providing schools with effective, ongoing support (Eastern Cape Department of Education 2000d). The exercise is aimed at restructuring the bureaucracy to enhance the quality of teaching and learning in schools; to develop capacity of districts and schools; to enable them to become self managing; and to bring about effective policy

implementation and service delivery. The head office is required to perform the functions of strategic planning, financial control, policy, planning and coordination of programmes, management and information systems, quality assurance, and performance management (ECSECC 2001). The differences between the old and new district systems have been summarised in Table XIX.

**Table XIX:**   Differences between Old and New District Systems

Old District System	New District System
Centralised	Decentralised
Authoritarian; hierarchical	Collaborative; more equitable
Bureaucratic culture	Developmental; teams
Provider driven	Needs driven; schools as clients
Monitoring; controlling	Supporting; developing
Fragmented service provision	Holistic; school focused

Source: Eastern Cape Provincial Department of Education 2002

The new district system was established with the assistance of a private consultancy firm, the Delta Foundation. In December 2000, the MEC of Eastern Cape Department of Education requested the Delta Foundation to develop a model for a decentralised Port Elizabeth district office because of the consultancy firm's wide range of practical experience in managing innovative models in education. There were also a lot of inputs from other organisations and donors like the DIFD funded Imbewu project. In February 2001, a task team consisting of representatives of the Delta Foundation and the Department of Education came up with a series of proposals. These proposals were developed on the basis of established national and provincial guidelines and also incorporated new concepts. The proposals were not only for Port Elizabeth district but also for all the 24 districts in the Eastern Cape Province. In September 2001 the proposals were accepted as district office model for the Eastern Cape Department of Education. The new district system adopted a bottom up approach or backward mapping model of policy

implementation with the goal of an 'ideal school' where the district office was required to play a supportive role (Eastern Cape Department of Education 2002). In the approach, "The 'ideal school' determines the function and structures of the new decentralised district office model. The vision, ownership and capacity requirements of the 'ideal school' decide what support and assistance the district office will provide and how it will deliver" (Eastern Cape Department of Education 2002:4). It stood on two legs, that is, Corporate Services and Education Support Services (See Figure I).

Figure I: District Office Framework
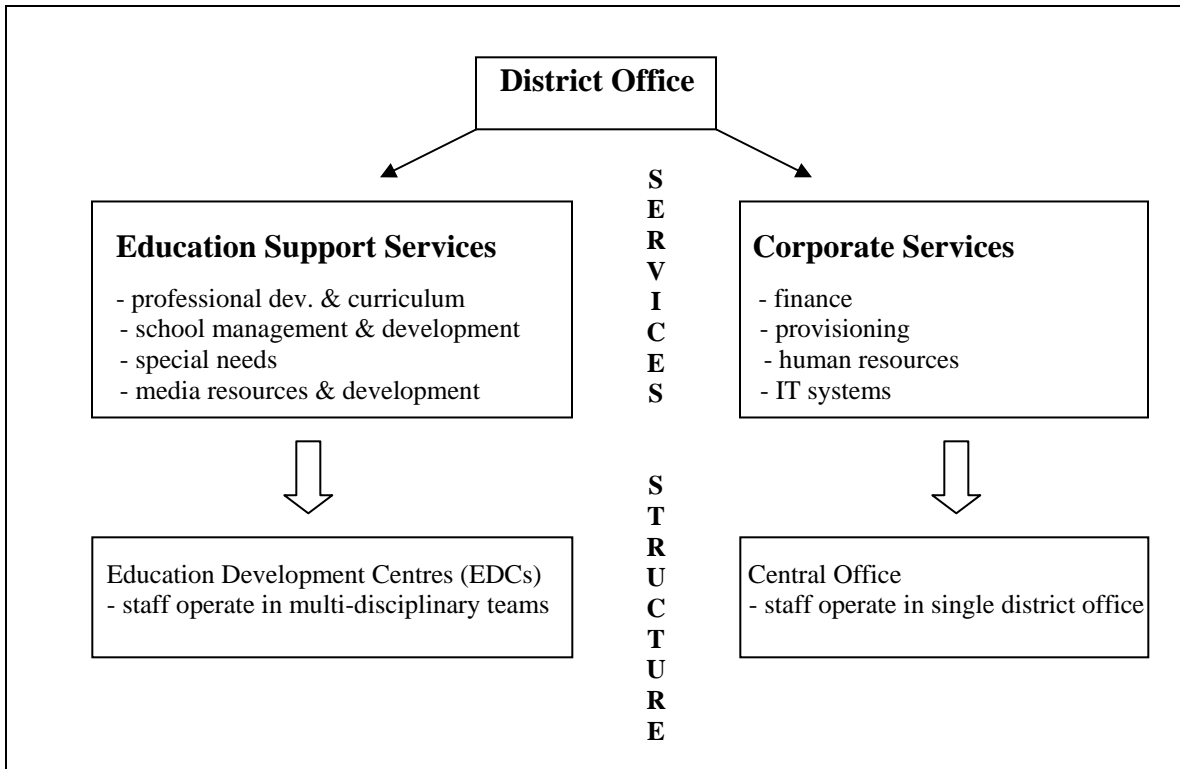
Source: Eastern Cape Provincial Department of Education 2002.

The Education Support Services is made up of multi-skilled teams that is based in Education Development Centres (EDCs) closer to schools. Its core function is to provide schools with appropriate professional development and curriculum services, school management and governance services, special needs in education services and media

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resources and development services. The Corporate Services wing is housed in a central District Office, and its core function is to provide financial, logistic, administrative and management services to schools throughout the district. Districts components are arranged in a way that facilitates interaction between EDC teams and schools and the sharing of available resources and best practices among schools (see Table XX).

Table XX: New Role for Circuits and School Clusters

Geographical Aspects	Physical Aspects	Purpose
District	Central District Office	• The district Office provides corporate services for the district and manages and monitors education support services
Circuit	EDC, which services several circuits	• The EDC provides education support services in its circuits
Geographical clusters of schools. Additional EDC support and resources are allocated to clusters of non-functional schools	School cluster node	• Provides a central base for EDC staff to conduct support and training and a centre or centres for cluster schools and their communities to hold meetings, workshops and best practice sessions and share resources computers etc.

Source: Eastern Cape Provincial Department of Education 2002.

5.2.3   Implementation of District Development Plan

Implementation of the plan began at the end of 2001/beginning of 2002 and it is expected to take five years to come to full operation. Interviews showed that 40% of the people would migrate from the head office to the District Centres. Regions have been abolished and staff has been moved to the districts. Most of the professional staff are already in the districts and they will be joined by corporate sector staff. By the beginning of 2002, ten districts were fully operational. A district director who is a senior manager heads each district, and is responsible for ensuring service delivery and budget control. This means that districts will have full access to the Department's central financial, personnel, and

provisioning systems. Districts will also formulate their own plans. Each district has established a District Education Forum, which will provide opportunity for stakeholders to have a say and participate in distinct planning and service delivery. Among the professional staff, 24 subject advisors were approved to be placed in each of the districts. College lecturers at post level 3 have also been absorbed as subject advisors.

Given the problems which the Department has faced over the years in delivering the curriculum and ensuring teaching and learning in the classroom, the idea of decentralising administrative and implementation functions to the district level is appealing and very convincing. Moreover the plan is underwritten by good intentions such as enhancing the role of school governing bodies in school management, and making schools more accountable to the communities in which they are located. However, there is need to take into consideration the inherent dangers of decentralisation in a province like the Eastern Cape which has been beset by a lot of structural weaknesses and major implementation problems. As stated in earlier sections comparative international experience shows that decentralisation in a context of gross socio-economic and institutional disparity (as is found in the Eastern Cape) may serve to accentuate, rather than redress inequities in the system (ECSECC 2001; Lewis and Motala 2004).

There is need for a strong centre to manage the process. The head office will be faced with the challenge of providing the necessary control and support functions. It needs to focus, in the short term, on building information management and planning capacity and developing monitoring and early warning systems. It may be too early to make a fair assessment of the operation of the district development plan. However, some of the respondents identified a number of limitations, namely:

- Lack of capacity particularly in education support services. Although there were plans to recruit additional subject advisors, education development officers and other professional staff, the exercise has not taken place. Currently all districts are experiencing shortage of professional staff. It has been difficult to prepare educators for delivery of the new curriculum.

- The districts are vast with a high number of schools. Districts do not have sufficient vehicles to visit schools to provide the necessary support including follow up and monitoring teaching and learning and also ensuring that suppliers deliver learning materials.

- Due to lack of adequate funding, some of the programmes have been postponed or abandoned.

- Most respondents from schools included in the study particularly township and rural schools emphasised that they rarely receive real support from the districts. They saw the responsibility of districts as being that of ensuring that schools implement policies from the national level. Many respondents expressed concern that district officials do not develop schools' capacity to implement different policies. The major problem is that districts do not have capacity to perform their required roles of ensuring policy implementation and providing support to schools. Discussions with some of the officials in the new districts showed that they are aware of their responsibilities of ensuring policy implementation takes place at the school level. They also acknowledged that they are required to provide support to schools in the implementation of the policies. However, due to lack of adequate skilled human resources, insufficient funding and adequate transport most of the roles are not performed as required. Most of the time they concentrate on ensuring that schools implement policies. This is likely to contradict measures taken by the provincial Department of Education to enhance bottom up approach to policy making and creation of an 'ideal school' as proposed in the New District Development Plan.

- Often districts have to divert from implementation of their plans to respond to emergency/crisis or head office unanticipated programmes.

5.2.4   Establishment of Interim Management Task Team

Due to failure of some of the Eastern Cape Departments to implement policies and deliver services, the national government appointed an Interim Management Task Team (IMTT) in November 2002 to revamp provincial government's administration. One could be tempted to state that the national government in collaboration with private consultancy

firms had indirectly taken over the running of the provincial government. The Department of Education together with Health, Social Development and Roads and Public Works were the most affected. The IMTT revealed that the above departments are riddled with administration irregularities and corruption and private companies or consultants have been running several of them. There is an unacceptably high level of vacancies, poor financial management, excessive use of consultants, and managers lacking capacity and who fail to maintain discipline and performance levels (Daily Dispatch 24 September 2003). The findings of the IMTT confirm what has been discussed earlier in this Chapter.

The IMTT enlisted the assistance of two consortia, Pytron and Sinakho, to take care of administration of the Departments affected, Education being one of them. Evidently, this exercise cost much in terms of financial resources which could be used to improve teaching and learning in many poor schools. Already records show that the Eastern Cape provincial government spent an estimated R 500 million a year on consultants. Members of IMTT raised concern regarding the use of consultants but stated that it was difficult to attract skilled people to work in the province. The following are some of their responses:

- *Vital skills introduced by private companies would later be utilised by departmental staff (Respondent: IMTT Member).*

- *They will help us reconstruct our back office (administration). In order to have a good front office (service delivery) we need a strong back office (Respondent: IMTT Member).*

5.2.5   Work done by the IMTT

The IMTT received criticisms for failing to make a difference in the province (Daily Dispatch 24 September 2003). Such criticisms came from political parties and parliamentarians from provincial and national levels. However, members of the IMTT outlined the following achievements:
- The IMTT has recorded 1 162 disciplinary cases; 533 of them from Education; 307 from Health, 210 from Roads and Public Works and 112 from Social

Development. Of these about 706 have been conducted and 456 are being processed.

- They established internal controls and addressed backlogs in the appointment of senior managers.
- They established four departmental turnaround plans and six transversal projects aimed at improved service, delivery and governance.
- Fast tracking financial and procurement delivery.

The IMTT implemented resolution 7 of 2002 where assessment of competencies of all managers and employees was done and people redeployed on the new organogram. Senior managers have been redeployed to different directorates and other existing personnel were asked to assess their own competencies and expertise and indicate their preferences regarding posts in the new organogram. The exercise also entailed identification of excess staff and was completed in December 2003 where all staff will be placed or redeployed in different positions. Employees were given opportunities for voluntary retirement. It is early to provide substantial comments on the self assessment strategy together with the logistics of redeploying all staff into a new organisational structure with additional units and posts. However, the exercise is likely to impact on performance of some directorates as skilled and most experience staff may decide to move to other positions and directorates.

The IMTT prepared a report following a thorough investigation. The report was never made public save for very few aspects like the magnitude of corruption and mismanagement; and measures being taken to improve the situation.

5.3   Contracting out and Collaboration with NGOs, Donors and the Private Sector

As stated Section 4.2.2 of Chapter IV, there are a number of NGOs, consultants from the private sector and donors who are working in partnership with the Eastern Cape Department of Education to implement its programmes. Contracts are given through the processes of competitive tendering. The work that is done by the various agencies includes more general corporate functions of education departments like management and

financial consultancy; and IT systems consultancy. Others include core education functions like in-service training of teachers; curriculum and material development; capacity building for school management teams and school governing bodies; facilitating school improvement and institutional rationalisation processes; evaluation; research etc. (Pampallis 2004).

There have also been donor operated projects which are implemented following agreements between the National and provincial Departments of Education and the donors. Among the largest projects are those funded by the USAID, DFID and Swiss AID. The usual practice is that agreement is reached between the donor agency and one or more provincial Departments of Education on the specifics of a support programme. The agency would then call for proposals where a consortia of service providers from within and outside the country would submit bids and a preferred bidder chosen. There have been several projects implemented in the provinces, Eastern Cape being among them.

Among the projects is the USAID District Development Support Programme which provided US $20 million between 1999 and 2002 to improve school and district performance in four provincial education departments. It was managed by the Research Triangle Institute a non-profit US contract research organisation. It also involved some South African organisations. Another one is the DFID Imbewu project in the Eastern Cape which aims to improve the quality of primary education. According to Pampallis (2004), the first phase of the project which had a budget of 7.5 million pounds was in operation from 1997 and it ran for three years. The contract for the second phase which is worth 22 million pounds will run for seven years from 2001. It was awarded to a multinational consortium of Dutch, British and South African organisations.

As stated in Chapter II, contracting out and outsourcing is associated with managerialist practices of the private sector and at time the belief in the superiority of the sector in delivering public services (Pampallis 2004). While the practice by the public sector could be attributed to the above reason capacity problems and shortage of skills among public

service managers; pressures of time and the need for rapid delivery of services account for contracting out and outsourcing by the Eastern Cape provincial Department of Education. Many of the respondents expressed concern about the fact that the Department does not have proper mechanism in place to monitor and coordinate work done by private consultants and organisations, NGOs and other agencies. This has implications in terms measuring their performance, assessing quality and sustainability of the programmes. Respondents acknowledged that some of the programmes ceased to operate after donors withdrew. Some officials from the Department attributed this to lack of additional staff and time to continue with some of the programmes which are taken as additional responsibilities. The fact that donor agencies have to include a variety of organisations from other countries in delivering the programmes indicates that these activities are taking place in an increasingly globalised market. This means that much of the funding is not locked in South Africa but goes back to the donor countries and other developed countries.

5.4   Discussions emanating from the findings

The above findings show that the implementation of education policies in the Eastern Cape encountered numerous problems and challenges that provided major obstacles in achieving transformation in one of the poorest provinces in the country. Lack of coherence and coordination of programmes and activities implemented at different levels led to contradictions and conflicts and deviations from goals of the transformation agenda. The situation was aggravated by lack of capacity particularly in the senior and middle management levels; and among personnel from the two homelands that were incorporated in the new province. Lack of adequate financial resources coupled with unqualified financial managers led to non-implementation of important curriculum delivery programmes. The situation was worsened by the fact that the province had the highest number of backlogs in the country. There was no genuine integration and commitment to transformation among some of the civil servants.

Different measures were introduced by the national Department of Education to ensure proper control and coordination of programmes. This involved identifying crucial areas

and setting priorities, and ensuring that funding is available. Managerial practices from the private sector were adopted in the implementation of education policies and programmes. Districts were given more decision making powers and were supposed to oversee the implementation of policy in schools, while at the same time providing necessary support. Head office was charged with policy formulation, coordination and monitoring role. Implementation began in 2002 which is a short period to make a proper assessment. However, lack of capacity is experienced at all levels. Lack of capacity is further evidenced by a heavy reliance and dependence on contracting out and involvement of consultants, NGOs and donors. Inadequate funding remains a major handicap with frequent incidences of mismanagement and corruption among officials. The study revealed problems of control and coordination among different levels and structures within the province. Many donors established school development and improvement programmes that the Department has failed to sustain. Consequently there is lack of proper coordination of the work done by NGOs. The following section examines the implementation of a specific policy at the school level. It reveals how street level bureaucrats use discretion in policy delivery which in turn affects goals and objectives of the policy.

PART II

Implementation of the South African Schools Act: Provision on School Governance and Democracy

The South African Schools Act (SASA) provides for school governance and democracy. This component of the policy was analysed in Chapter IV Part III. SASA created a legal framework for the establishment and election of school governing bodies (SGBs) which are required to enhance participation and democracy in schools (Department of Education 1996). SGBs are juristic persons and have been granted considerable powers in schools. The composition, powers, role and responsibilities of SGBs were discussed in Chapter IV. This Part examines the implementation of policies relating to School Governance and Democracy within the Eastern Cape Province. It draws reference from the ten schools included in this study.

As indicated in Chapter IV, SGBs were established as vehicles for effecting the decentralisation of power and enhancing participation in schools. The establishment of SGBs was supported by both the ANC and the National Party for different reasons. The ANC supported the establishment of SGBs on the ground that they will empower marginalised communities from previously disadvantaged areas and schools to take responsibility and have a say in running the schools. The National party had handed over ownership and management of former white only schools to governing bodies in 1992.
This move has been attributed partly to financial constraints but also was designed to enable its constituencies maintain their privileges (Karlsson, McPherson and Pampallis 2001; Lewis and Motala 2004). Hence, after the 1994 elections both parties supported the establishment of SGBs.

SGBs were established through democratic elections. The exercise involved different role players including the provincial Department of Education which supervised the elections. Interviews with officials of the provincial Department of Education revealed that in the Eastern Cape, elections were supervised by officials from the Directorate of Human

Resources Management in the provincial Department of Education. The Department produced regulations concerning the conduct of elections and consultations were held with different stakeholders to provide input. This was followed by training workshops and seminars for education development officers, teacher unions, other district groups and stakeholders that were to be involved in the process. The main aim was to inform and educate them about the respective roles and responsibilities of SGBs and in addition, train them on how to conduct the elections. Teams and groups that were trained in the districts were required to cascade information to principals and other players at the school level. This was followed by actual implementation of elections. By the end of February 1998, all schools in the Eastern Cape had elected and established SGBs. District education officials were charged with responsibilities of educating SGB members on their roles and responsibilities and providing the necessary follow up and support service to enable them function properly. This was essential for many of SGBs in township and rural schools which lacked the necessary capacity.

5.5   Representation on the School Governing Bodies

Information on representation on SGBs was obtained from each of the 10 schools included in this study. The results are presented in Table XXI.

Table XXI: The Number and Gender of School Governing Bodies

School	No. of SGB Members	Gender	
		Male	Female
Township A	8	5 (63%)	3 (37%)
Township B	6	3 (50%)	3 (50%)
Township C	8	6 (75%)	2 (25%)
Rural A	7	5 (71%)	2 (29%)
Rural B	7	3 (43%)	4 (57%)
Rural C	6	4 (67%)	2 (33%)
F. Model C (English medium)	8	5 (63%)	3 (37%)
F. Model C (Dual medium)	8	4 (50%)	4 (50%)
F. Model C (English medium)	7	3 (43%)	4 (57%)
F. Model C (Afrikaans medium)	8	5 (63%)	3 (37%)

Table XXI shows that in the 10 schools under study, SGBs were male dominated. Men formed the majority of SGB members among teachers, learners and parents in most of the schools. Where female parents were represented, their roles were subservient to those of their male counterparts, the latter occupying executive positions. Lewis and Motala observed the same trend in a study of 15 schools in Durban South:

> Males were over-represented among parent and learner representatives. In a sample of 15 schools, only 20 per cent of learner representatives were female. Among educators males dominated regardless whether it was a secondary school, where males tend to make up the majority of educators, or a primary school, where there are greater numbers of female educators (Lewis and Motala 2004:127).

Informal discussions with selected SGB members and observations made in 4 out of the 10 schools included in this study confirmed that many SGBs were not representative of the population that they served. In the four former Model C schools, African parents were not well represented in the structures, even where their children formed the majority of

the learner population. Majority of members of SGBs in those schools were white, many of them with distinct occupations like lawyers, medical doctors, accountants, business people etc. This was also confirmed in a study by Carrim (2000:32) who found that African parents are not being elected into SGBs into former Model C schools, including ex-Afrikaner and ex-Indian schools. McPherson and Naicker observed in their study on SGBs:

> Africans and people of other races who are members of school governing bodies would either have been co-opted or would be included on less important subcommittees while decision making authority is retained by the executive body (Mcpherson and Naicker 2002:9).

In township and rural schools that were included in this study where learners are predominantly African, there were also distinct choices of certain groups of people. In the township schools, most SGB members were elected from among educated parents who were employed in the formal sector, articulate and able to communicate in English. Most members of SGBs in rural schools have low levels of literacy and lack skills and capacity. The four former Model C schools had elected administrators, bursars and secretaries as non-educator representatives on their SGBs. This means cleaners, gardeners etc. who hold permanent jobs in those schools were not elected. Of the six public schools (township and rural schools), only one had non-educator representative in the SGBs. The majority of township and rural schools did not have support staff on their SGBs. All secondary schools are required to have learner representatives in the SGBs. However, it was observed that the former Model C schools had no learner representatives, instead, they continued with prefect system which was abolished. Prefects are selected by teachers. Township and rural schools had learner representatives in the SGBs. Their participation was limited because in most schools they were not regularly invited to SGB meetings. Some of the principals and other SGB members claimed that some of the meetings discussed sensitive issues in which the presence of learners was not appropriate. In other schools they were invited only when they discussed matters related to learner discipline.

5.6   Decision Making

According to Section 18(2)(a) of the SASA, governing bodies are obliged to meet at least once per school term. Discussions showed that all schools fulfilled this obligation. Respondents acknowledged that annual general meetings were held in their schools. In addition SGBs held monthly meetings, which addressed finance and budgeting, fund raising, learner discipline, staffing matters, and planning. Raising funds tended to be a priority at township and rural schools while distribution of funds was given more attention at former Model C schools. Members of the SGBs were reluctant to show the researcher the actual minutes of SGB meetings, citing confidentiality as the reason for not doing so.

Respondents discussed how decisions are made in their schools. Although most of them acknowledged that decisions are democratically made and every member has an equal opportunity of participation in decision making, some respondents, particularly those from township and rural schools, claimed that principals use different tactics to impose their views on other members. Some of the tactics mentioned by respondents were formation of cliques within the schools. Such cliques dominated meetings in a way that undermined the ability of the SGBs in their schools to function as independent bodies. This was evident in the observations made in the township and rural schools.

Many parent SGB members criticised principals for caucusing with educators and learners before SGB meetings to solicit their support. In one group interview, a respondent made the following statement: …*most often when principals disagreed with decisions taken at SGB meetings, they frequently canvassed other members of the school community in order to alter such decisions. S*ome principals contended that there was nothing wrong with this practice, on the ground that decisions could be changed with changing circumstances. However, SGB members felt that canvassing was unfair and led to marginalisation of parents. A respondent contended: *…in many cases parents' voices are not heard because school based actors - the principal, together with educators and learners - canvassed among themselves beforehand.*

Some respondents who are SGB members in former Model C schools identified other problems regarding participation in decision-making. Some of them argued that principals and affluent members of SGBs (mostly professional and those from advantaged communities) meet beforehand, canvass and agree on positions to take on different aspects on the agenda. As a result any suggestions made by other members in meetings are often either ignored or rejected or referred to smaller committees for more information or research. With such delays the issue is relegated to the bottom of the agenda and eventually falls out. Instead of remaining active in the SGBs, many of the respondents (particularly those from disadvantaged communities) opt to keep a low profile and in some cases, stop attending meetings. Two affected respondents gave the following remarks:

- *I have stopped attending meetings of SGB. My suggestions are always challenged and thrown out and I really feel that I am not a valued member of the governing body (Respondent: former Model C school SGB member from disadvantaged communities).*

- *Whether I am present or not they will take decisions on what they have agreed among themselves. I see no need of travelling so far to attend such meetings while I cannot make any difference (Respondent: former Model C school SGB member from disadvantaged communities).*

SGB members from former Model C schools and advantaged communities argued that all members are given equal chances of participation and all views and opinions are considered. However, others agreed that most decisions are dominated by principals, chairpersons of the SGB and other influential people like medical doctors, accountants, bankers, lawyers, business people etc who are members of SGBs. This aspect was also confirmed through observations that were made.

Another issue, which came in the discussions, was the time set for meetings in former Model C schools. Some respondents expressed dissatisfaction with the time set for attending meetings of either parents or SGBs because it was awkward for parents or members who lived far away from the schools. Some of them did not have the means of transport to attend meetings which were mostly convened in the evenings and far from

their homes. Observations showed that the most active group of SGBs in former Model C schools were white parents. They participated more in discussions than those from formerly disadvantaged groups, and in many cases decisions made or suggested by them during meetings were easily accepted and endorsed by all members. Consequently, in township and rural schools, the most active members were principals and some of those with better education. The two groups participated most in discussions and made many of the decisions which were endorsed by other members. In the rural schools most decisions were made by principals and the school management team. Squelch (2000) confirms that SGBs often delegate authority back to the principal because of lack of capacity. Sayed and Carrim (1997:34) argue that "SASA circumscribes inclusiveness in ways that it marginalizes black working class and rural poor families. While SGBs may represent parents, they often fail to do so for parents from the most vulnerable families".

5.7 Roles and Responsibilities of School Governing Bodies

There is lack of understanding of roles and responsibilities of SGBs particularly by members of township and rural schools. In the discussions, most of the members struggled to understand their main roles and responsibilities. Many of the respondents from township and rural schools saw their role as "fund raising, ensure that parents pay school fees and attend meetings, and teachers attend school". This could be partly attributed to inadequate education, information and training on the roles and responsibilities of SGBs. Most respondents expressed concern that training and education by the Department on the roles and responsibilities of SGBs was confusing and the training material were too complex to understand. Some of the materials were written in English, a language that was not well understood by many parent members from rural schools. A Departmental official acknowledged this in the following words:

- *Understanding roles and responsibilities particularly by some of those in rural schools has been problematic. Many members have low literacy levels. This makes training difficult, as they do not cope with the materials presented in training manuals. You find few people dominate responsibilities that are supposed to be handled by all SGB members. Hence you find that budgetary issues and financial management are usually handled by School Management Teams (SMTs). SGBs seem to think their main role in school activities is to carry out fundraising*

The consequence is that most SGBs from former Model C schools understand their roles and responsibilities well and are able to take on additional ones, putting their schools always ahead in terms of quality, effectiveness and efficiency.

The separation of school governance from management poses challenges for most SGBs including those with literate members. As a result there is often tension between the principal and members of the SGBs. A number of respondents from township schools stated that some of the SGBs tend to see themselves as employers even for educators who are employed by the Department and tend to interfere in professional matters. While this is an indication of lack of information or knowledge on their respective roles, such action could also be explained in a different way.

Some parent SGB members from township and rural schools acknowledged that at times they have to make impromptu visits to schools because some educators, and even members of school management, are often not at their place of work. They cited incidences where members of the community and parents had to teach because educators had absconded and principals had failed to either inform the SGB or to take any disciplinary measures against the absentees. They felt that they were not interfering but exerting their role as SGB members and parents who have interests in their children's education and welfare. This was confirmed by one respondent district manager who acknowledged, and showed how he had to solve conflicts of this nature in his district. He also acknowledged that most of the time interferences by SGBs arise from ignorance of roles and responsibilities of governing bodies.

Consequently, there have been cases where some principals have taken advantage and took over SGB responsibilities and made decisions that were supposed to be made by members of the SGBs. This was apparent in the three rural schools where many of the SGB members had low levels of literacy. Sayed (1999) comments on the complexity of

the roles and responsibilities of SGBs as outlined in SASA and he argues that they are best suited for middle class communities. The budgetary tasks and financial management skills that require considerable expertise have proved to be most difficult. The roles and responsibilities of SGBs seem to be straightforward and clear on paper. However, there is need for more clarity particularly for most SGB members from disadvantaged and rural areas, where schools had no experience or tradition in governance (Vally 1998).

5.7.1   Additional Responsibilities

All the four former Model C schools had applied for additional functions and responsibilities, which qualify them as Section 21 schools. Schools that qualify to be categorised as Section 21 are required to be self managing schools. They manage their own funds which are received en bloc from the Department. They procure supplies like educational equipment and materials and take charge of responsibilities of maintenance and care of physical conditions of the schools. Only two of the six township and rural schools had applied for this status. This is attributed to the fact that such functions have serious economic and leadership implications, which is lacking in many of those schools. This call for the need to build capacity to a level that allows them to prepare adequately for these tasks and to exercise their powers to the fullest.

The Department manages funds of those schools that have not attained Section 21 status. It pays for procurements and services through requisitions made by those schools. Some respondents expressed concern about long delays by the Department in paying for services rendered to schools by service providers. Disconnection of essential services like water, electricity, telephones etc. due to non-payment was cited by most respondents.

 The Department has also established complicated bureaucratic procedures, which make things very difficult for schools when making requisition for procurement and services. Most of the respondents gave examples of procedures put in place to engage small contractors or builders to do repairs or maintenance in their schools. They have to fill long complicated forms. Schools are not able to choose their own preferred service providers even within the precincts of the school. The Department has a list of

contractors from which schools can choose. Often such service providers have not been able to do quality work, let alone completing such work. Moreover, due to non-payment or delays in payment, many of them use this as a justification to abandon the work before completion. This affects mostly schools in township and rural areas who have not attained section 21 status.

5.8 Formulation of School Policies

The SGBs are charged with formulation of a number of policies at the school level. Respondents commented on the policies they formulated in their schools.

5.8.1   *Development of School Constitutions*

According to SASA, one of the first major tasks of all SGBs was to develop a constitution for their schools. Although all respondents acknowledged that they had developed constitutions for their schools, many revealed that they have had to receive a special assistance from the Department. The Department supplied schools with standardised draft constitutions that were easily adapted to local school circumstances and to school networking. However, despite the assertion that the schools had constitutions, most of them could not produce one for the researcher's perusal. The degree to which schools adhered to constitutions produced by SGBs could not be ascertained.

5.8.2   *Formulation of vision and mission statements of schools*

A number of respondents acknowledged that they formulated vision and mission statements for their schools. However, the majority of those from township and rural schools reported that they did not participate in the exercise. They indicated that the formulation of vision and mission statements was done by the district officials in consultation with principals and then imposed on the schools.

Respondents from the district offices acknowledged that there were cases where they had to collaborate with schools to come up with vision and mission statements because of lack of effective participation by most members of SGBs. They expressed dissatisfaction

with some members' participation in meetings and in discharging other SGB obligations in schools, especially those in the rural areas. They attribute this to SGB members having other commitments, little interest in the activities of the school, and also capacity to understand their roles and responsibilities. This situation calls for proper capacity building programmes together with support and monitoring of schools especially those from disadvantaged areas.

5.8.3 *Admissions policy*

It was revealed from the discussions that most schools have some form of admission policy based on the one from the Eastern Cape Department of Education. While respondents claimed that their admission policies are open, the findings revealed a lot of discrepancies in admission of learners in the respective schools surveyed. Informal discussions with some respondents in the schools under study showed that the exclusion of learners is practised in both former Model C and in township schools. Discussions showed that many of the former Model C schools conduct 'informal interviews' with parents who submit applications for children' admission. This is a way of determining which children to admit because they also find out indirectly the parents' occupation and income. There have been a number of incidences where parents have been informed after such interviews that places are full, while others with good positions and better income who came after them were given admission. Discussions showed that township schools that are perceived by communities to provide better education also give preference to well known members of the community, employed parents and those who are not likely to request exemption from paying fees.

Language is another factor that affects admission. Research findings showed that in most dual medium schools there is preference of English and Afrikaans as medium of instruction. However, some schools used language and admission as a way of exclusion. Writing about schools that use Afrikaans as medium of instruction in Pretoria, Bush and Heysek observed:

The governing body has not opted to become dual medium, knowing that there is little demand for Afrikaans only schools by black parents. The annual fee of R 4 400 may also be prohibitive for many poor parents, although the principal claims that admission to the school is independent of ability to pay. Many black parents wish to pay their way if they can afford to do so. The school's marketing is also focused on its local (predominantly white) community. The brochure is sent to local schools and churches while there is also advertising in the local free newspaper. A further consideration is that this school is located away from the convenient public transport (Bush and Heystek 2003:135).

Tikly and Magobane (1997) outline strategies used by some former Model C schools as administering English language tests, advertising only in the historically white press and interviews with prospective learners. Gilmour argues that certain provisions in some of the policies have provided the escape valve for exclusion:

Schools are not obliged to admit every person who applies to enter. The intention here is that schools could be permitted to maintain their particular religious, cultural or language character. This clearly opened the door for discriminatory practices disguised as cultural freedom (Gilmour 2001:11).

5.8.4   *Language policy*

SGBs have been given the power to develop language policies and put forward concrete proposals on promoting multilingualism. However, the implementation of the policies by SGBs has varied. English and Afrikaans were still the dominant languages used in teaching, and were parents' preferred choices offered by the curriculum. Studies showed that many schools do not have formal written language policies. In many cases the formulation of language policies by SGBs took place haphazardly and without proper planning, and in other instances, decisions were not made in full SGB meetings (CEPD 2000, 2001 & 2002). In some schools language policy is limited to the introduction of an African language in schools that traditionally offered English or Afrikaans as the medium of teaching and learning (CEPD 2000, 2001 & 2002; Motala et. al. 2002). This was evident in most of the schools included in this study where members of SGB acknowledged that they have not formulated language policies for their schools.

The absence of language policies in many schools is attributed to lack of capacity by SGB members particularly those from townships and rural schools. This may be due to the technical nature of the policy, inadequate training or lack of orientation as to their specific roles and responsibilities (Motala et. al. 2002). However, studies showed that there are instances where SGBs possess the necessary skills and capacity but failed to come up with proper school language policies. This could be attributed to the fact that language policies in education have been received with mixed feelings by some of the parents particularly those from affluent and advantaged communities. According to Mda:

> South Africa's White (and sometimes Indian and Coloured) parents have frequently articulated their concerns about the new language policy as fears of lowered academic standards or of the diminution of Western and Afrikaner language and culture (Mda 1997:372).

5.8.5   *Code of conduct*

All respondents from Former Model C schools indicated that they participated in developing codes of conduct for learners in their schools. Those from rural schools stated that learners' codes of conduct were developed by principals and teachers.

5.9   Relationship among, and between SGB and Educators

It was noted in most schools that power struggles either between chairpersons of the SGB and principals or between the parent component of SGB and the rest of the educators were a problem. This cut across all school types. In some cases the parent component of the SGB would be on good terms with the principal and not with educators. Educators felt that in such cases parents were influenced by their chairpersons and principals to have a negative attitude towards them. On the other hand, principals and chairpersons of the SGBs who experienced such situations felt that educators who did not want to be reprimanded contributed to this situation. Problems of relationships between different members of SGBs could be partly attributed to the fact that departmental officials, particularly those at the district level, were not providing the required support to schools. Schools are left to implement some of the crucial policies on their own without receiving sufficient support and monitoring. This confirms what was stated in Part I of this Chapter where districts acknowledged that their role was to ensure policies are implemented and

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to provide support to schools. However, these roles are not implemented effectively due to lack of capacity, inadequate funding and lack of transport.

5.10   Problems of Communication

Respondents expressed concern about lack of coherence at various levels of governance. The flow of information from provincial and district offices down to the schools was a major problem. SGB members revealed that they often received notices of workshops and meetings from the district offices at the last hour. They also contended that most often they do not receive in time policy circulars that they are required to implement. Often urgent matters are not attended to by district offices and they do not receive replies to correspondences. Many schools cited problems with payments of temporary and substitute teachers' salaries. They gave examples of affected teachers who have been working for almost a year without salaries. However, respondents from district offices acknowledged the above problems exist and they contended that they experienced similar problems of communication with head office. This raises concerns about the new decentralised system and whether it is adequate to ensure effective control and coordination in implementing the transformational agenda.

5.11   School Finances

School governing bodies have been given responsibilities of financial management, including those of cost recovery in order to generate additional educational resources. All public school governing bodies are obliged by SASA to support their schools financially as best as they can. This is evident in Section 36 of SASA which states:

> A governing body of a public school must take all reasonable measures within its means to supplement the resources supplied by the State in order to improve the quality of education provided by the school to all learners at the school (Department of Education 1996: 2A-25).

The rationale for charging user fees was discussed in Chapter IV. All respondents in the ten schools acknowledged that their schools charge user fees. However, the amounts differed from those charged by former Model C schools which were higher while those charged by township and rural schools were relatively lower (See Table XXII).

Table XXII: Fees charged and received by schools included in the study

School	No. of learners	Amount of fees charged by school per year*	Potential Fee Income per year (in Rand)	Actual Fee Income received per year (in Rand)
Township A	982	80	R 78 560	R 31 432 (40%)
Township B	942	60	R 56 520	R 16 956 (30%)
Township C	985	100	R 98 500	R 59 100 (60%)
Rural A	750	65	R 48 750	R 22 913 (47%)
Rural B	500	65	R 32 500	R 8 125 (25%)
Rural C	454	55	R 24 970	R 12 485 (50%)
F. Model C (English medium)	722	3000	R 2 166 000	R 2 057 700 (95%)
F. Model C (Dual medium)	965	3600	R 3 474 000	R 3 161 340 (91%)
F. Model C (English medium)	683	3000	R 2 049 000	R 1 782 630 (87%)
F. Model C (Afrikaans medium)	750	3150	R 2 362 500	R 2 126 250 (90%)

* The amount excludes boarding fees

The amounts given by respondents from former Model C schools ranged from R3 000 to R 3 600 per annum, while those from township and rural schools ranged from R55 to R100 per annum. Respondents expressed concern about non-payment of fees by parents who have not been granted partial or full exemption. Non-payment of school fees was more of a problem in township and rural schools. The percentage of learners who paid school fees in those schools ranged from 25% to 60%, while those who paid in former Model schools ranged from 87% to 98%. It was evident from the discussions that many parents cannot afford to pay school fees. Discussions revealed that in former Model C schools only close to 10% of the parents are not able to pay fees. Those in township and rural schools acknowledged that close to 58% could not afford to pay fees. Most respondents were aware of the policy that learners could not be expelled from schools for not paying school fees and that parents could apply for partial or full exemption.

However, in the discussions some respondents felt it was not advisable to inform parents about their right to apply for partial or full exemption from paying school fees. Principals from township and rural schools acknowledged that they do not inform parents because if they are aware of the policy many of them may not have to pay fees. They argued that if parents are informed no one will pay. One respondent who is a principal remarked:

- *The fact that parents have been told children will not be sent home, many of them have taken advantage and even those who can afford are no longer paying school fees. If you tell them about partial or full exemption, the policy will be abused and no one will pay and the Department will not compensate the school. It is really a struggle in some of our schools to get parents to pay fees (Respondent: Principal, Rural School).*

Another principal stated:

- *In many of our schools we still send children who have not paid school fees home because parents are never bothered even if you send hundred letters. If you call meetings they do not show up even if their households share the same fence with the school. So if you want to see them send children home or retain their reports. We know it is illegal but we do not get assistance from the Department to recover fees that are not paid by even some of the parents who can afford. Taking them to court will not be possible and it is not worthy it if you consider the amount that is claimed from a parent. Moreover, we do not have money to pay lawyers (Respondent: Principal, Township School).*

Because of not being informed, it was revealed that in many schools only a very small percentage of parents has been exempted from paying school fees. Information obtained from district offices showed that the percentage of parents with children in township and rural schools who have been officially exempted range from 2% to 4% and those in the former Model C schools from 10% to 25%. In some of the township schools, parents who were exempted from paying fees had to offer their services free of charge to schools despite the fact that this is not provided as a condition in the Norms and Standards for School Funding. Services offered included building, repairs and general maintenance of school buildings, general cleaning of the school buildings and compounds, school gardening and other manual jobs. As stated in Section 5.8.3, the former Model C schools

have ways of excluding poor parents regardless of their race. During the discussions it was confirmed that in many former Model C schools the economic status of parents is 'indirectly investigated' by principals before a child is accepted for admission in any grade. Many schools avoid admitting children of parents who are likely to apply for partial or full exemption of school fees. However, they ensure that they take a limited number of them.

The majority of respondents expressed concern about exempting parents from paying school fees while at the same time not being given additional funding to cover the loss of income. Respondents from the Department stated that schools are allocated funds according to the Norms and Standards for School Funding of 1998. They acknowledged that placing different schools on right quintiles has been a challenge to the Department as the latter realised that in many cases it has worked more to the advantage of some better off schools while the worst deprived and disadvantaged schools have not benefited as anticipated. Departmental officials confirmed that they were preparing better instruments that would enable them to assess and place schools on right quintiles. They also indicated that more SGBs from schools in township and rural areas would be given additional responsibilities and become section 21 schools by 2005. While this might be a good move, the capacity of the SGBs to perform those functions need to be considered given that there is no support staff and many members and teachers lack skills in financial management.

Respondents indicated that, as members of SGBs they had been involved in drawing up budgets for their schools. However, some of them stated they were only consulted about a budget that was already prepared and were not involved directly in the preparation process. According to SASA, the budget is supposed to be prepared by SGB after which it is discussed and approved by a meeting of all parents. Some respondents expressed concern that budgets were prepared by principals and other members of school management team, though at times few selected members of the SGB were included. Others stated their budgets were not approved by all parents as their schools did not hold meetings for that purpose.

Discussions showed that some SGBs in former Model C schools, and some of the township schools, were able to cope with financial responsibilities because of teamwork and financial skills possessed by some of their members. Schools that included SGB members with relevant skills (due to their qualification and position at work) were better positioned to assume greater financial responsibility.

5.12   Staff Appointments

According to SASA, SGBs have been granted rights to recommend appointment of teachers to the Department of Education (Department of Education 1996). According to discussions former Model C schools made recommendations to the department for the appointment of additional staff. However, some of the district officials indicated that close to 50% of SGBs in the township and rural schools did not make recommendations on hiring additional staff. It should be noted that not all those schools that made recommendations for more teachers were successful. This has resulted in large teacher: learner ratios and overcrowded classrooms.

Most former Model C schools were able to hire extra teachers who were paid from additional funds raised by SGBs and school fees. Respondents acknowledged that this practice was not possible in most of township and rural schools due to lack of funds to pay for additional educators. One of the township schools had secured the services of two volunteer teachers who were drawn in for as little as R 400 per month without benefits. Respondents indicated that volunteer teachers were qualified educators who were not able to secure full time employment. However, such teachers lacked experience and sufficient skills and were required to be mentored. Recommendations for appointing teachers are supposed to be made by SGBs. However, in many cases school management teams or principals together with some of their teachers made the recommendations. This was justified that parents were not always available and that the urgency of the matter did not necessitate holding consultations with all SGB members in the process. In other schools, principals would hold informal consultations with SGB members after the process had taken place.

Some principals stated that they excluded SGB members from meetings that made recommendations for appointments of staff because they are not available most times due to commitment in other businesses. They also felt that recommending staff for appointments is a technical and professional exercise which many of the SGB members who are illiterate would find difficult to perform. The problem of excluding SGB members could also be attributed to lack of clarity with regard to distinction between school governance and school management.

Principals dominate in many of SGBs functions. Their dominance is apparent on such areas as policy development, drawing up the budget and determination of school fees. SGB members and parents do not make decisions on those aspects most of the time. Principals in collaboration with School Management Teams, make decisions and then approach SGB members or parents for endorsement. This practice seemed to be very common in township and rural schools that were included in this study. Lewis and Motala (2004:130) observe "devolution of authority by SASA has strengthened the hand of the principal. While this may be positive for some spheres of activity, it is not sufficient to fulfil SASA's promise of democratic participation of role players or stakeholders". Instead of strengthening local democracy, it could reinforce the power and influence of school management teams. Centralisation of authority at the school level is not experienced in all schools. Bischoff and Sayed (1999) observe that principals in former Model C schools have not experienced change in their role of financial management. However, those in township and rural schools admitted that they had experienced a shift with regard to their role, taking more responsibilities that could have been performed by SGBs.

5.13   Capacity Building

The findings have revealed the need for intensive and serious training for SGB members, particularly for those in township and rural schools. The Eastern Cape Department of Education has conducted training for SGBs. Most of the training was done at district level by education development officers. Due to lack of adequate trainers, training of SGBs has also been outsourced to NGOs and other private organisations. The most

crucial areas of training have been conflict resolution and financial management. However, training has been haphazard and uncoordinated, with no follow up support. It has also been too academic and not practical enough to suit the needs of the members. In many cases it has been conducted without a proper needs analysis (CEPD 2000, 2001 & 2002). Equally there has been no proper monitoring and follow up support and mentoring by the provincial Department of Education. This was acknowledged in discussions with members of the provincial Department who attributed the problems to lack of adequate manpower, transport and financial resources. Due to lack of monitoring, SGBs in most affluent schools use their own discretion in conducting their affairs, neglecting issues of equity, redress and democratic participation as stipulated in the policy. These concerns were raised by many respondents from the provincial Department of Education and NGOs.

5.14   Discussions emanating from the findings from Part I and II

The findings show that the government has opted for governmental and sectoral mixes of policy delivery system. In the governmental mix, the responsibility for implementation of different education programmes and activities has been entrusted to different levels of government, that is national, provincial and school levels. The different levels and structures have been allocated powers and responsibilities. Furthermore, districts have been 'empowered' and more responsibilities and decision making powers have been granted to those levels to enable them make decisions and implement education policies. In the sectoral mix, the provincial Department of Education has outsourced the delivery of some of the programmes and activities to consultants and NGOs from within and outside the country to enhance quick delivery of services. It has also involved communities like school governing bodies to participate in policy delivery at school level. This is intended to make services more responsive to community's needs and increase their involvement in the way in which services are delivered.

However, the findings reveal that arrangements of structures including allocation of powers and functions have affected the delivery of education policy. There is incoherence among the fragile and weak structures at all levels with lack of proper coordination,

control, communication and monitoring among them. There is lack of capacity and adequate financial resources to implement the education programmes and activities at the school level. This in turn, has resulted in lack of proper implementation of the transformation agenda and selective delivery of policies. The findings reveal that while the first phase of bureaucratic restructuring adopted a 'top down' rational policy implementation model, there was an implementation deficit for the reasons identified above. However, with the second phase of bureaucratic restructuring an attempt was made to apply new managerialism and implement 'bottom up' model of policy implementation. In this model districts were given more powers to plan their own programmes and budgets in collaboration with the head office. Consequently schools were supposed to decide what support and assistance the district office will provide and how it will deliver. The findings show that there were setbacks due to confusion about the line of authority and accountability and also lack of capacity. Problems of corruption, mismanagement and lack of commitment and will among implementers particularly at the head office, were also noted.

The findings also show that street level implementers with their expertise, skills and position use their own discretion to interpret policies; and thus deviating from the goals set by those policies. This is also related to the issue of policy changing the role of the state and decentralisation of its functions. In this process, lower level implementers have been empowered with greater latitude to make decisions and be held accountable for them. They are able to determine which policies or elements of policies to implement and this is likely to advantage some groups while neglecting others. This is evident from the findings on implementation of the provision on School Governance of the South African Schools Act. We can conclude from the findings that institutional arrangements and structures including allocation of powers and functions constrain policy implementation. The situation is also aggravated by lack of capacity and commitment and adequate financial and other resources.

CHAPTER VI

CONCLUSION

The post-apartheid government of South Africa has committed itself to achieving fundamental transformation of the education system. It has put in place policies and measures that would bring about the goals of equity and redress and enhance democracy and participation of all groups in the development and decisions making processes. It is evident from the findings that the government has taken great strides within this short period to implement its transformation agenda in education. While it has to be commended for the achievements, this study found that the transformation of the education sector has been beset by major challenges and factors that have led to setbacks and contradictions in the policies and different strategies put in place. The setbacks have also affected the process of formulating and implementing policies. This conclusion draws from the findings on the transformation process and policies in the education sector. It also shows how the theories and methodology adopted have been used in the study.

6.1   The Establishment of a Government of National Unity

Some of the agreements reached in the negotiated settlement have affected the policies adopted to transform the education system. The setbacks which were evident during the transition period continued to adversely affect the policies and the goals of achieving equity and redress in the education sector. The establishment of a Government of National Unity during the transition period meant that decisions were made on the basis of compromise, negotiation and consensus. This implied that the post-apartheid government would be restricted to act on various aspects of transformation. It also limited its latitude and flexibility to manoeuvre social and economic issues and this had implications for the transformation of education. However, this does not mean that the new government did not have any options or choices for implementing the transformation agenda. The national Department of Education had the option of developing strategic priorities and identifying specific areas of intervention. However, it opted to produce a

range of policy frameworks in all areas without considering the implications of their implementation such as financial and human resources, the arrangements of structures including their powers and responsibilities, and other crucial factors (Sayed 2001; ECSECC 2001). The measures taken by the Department could be attributed to lack of experience and capacity on the part of the newly appointed senior management. This was exploited by some of the officials that had served in the apartheid government who were threatened by the change and were not willing to adapt to the new approach and orientation. They continued to conduct business as before and this affected the pace of the transformation programme in education.

6.2   Formulation of Education Policies

Education policy is generated by provincial and national representatives and then discussed by HEDCOM after which it is passed to CEM for approval. It is then presented to Cabinet for approval as an executive policy programme and thereafter it is either implemented or taken through legislative route to be adopted by parliament. Different groups and policy networks influenced the policy process in the education sector. The example of the formulation of SASA was provided where the major influence was exerted by two policy networks. The first one was composed of the NP, the Freedom Front, the Model C based South Africa Federation of State Aided Schools and the Afrikaans Press. Relationship of the members is attributed to the fact that they had common values, goals and interests. They were in favour of more power being devolved to SGBs. This measure would enable retention of existing privileges and positions of Model C schools and also enable the above groups to maintain their interests. However, they also had individual interests that were pursued through the network.

The second network one consisted of the ANC Study Group, the ANC aligned education organisations and intellectuals, Members of Parliament, COSAS and officials from the Department of Education who were members of the ANC. All the members pursued common goals, values and interests. Members of the groups wanted to see policies that would enhance democracy, equity and redress particularly among the disadvantaged groups and communities. Consequently, they also wanted to see reorganisation of the

school system to ensure equity and redress. There were also had individual interests that were pursued within the network. The first network exerted more influence on the policy when it was in the hands of the Department of Education. This is attributed to the fact that the Department had to enter into negotiations with Model C SGBs. The need arose from the fact that the NP had granted powers to Model C SGBs which required the Department of Education to negotiate with those bodies before effecting any changes that would affect them. Therefore, formulation of SASA obliged the Department of Education to enter into negotiations with governing bodies of Model C schools before any changes were made to their powers as required by Section 247 of the Interim Constitution.

Negotiations with the governing bodies of Model C schools gave them advantages as they were able to have many aspects and functions of their SGBs included in the new Bill. The second network was only able to exert some influence when the Bill was taken to the Parliamentary Portfolio on Education and amendments were made to some of the provisions. The Bill favoured the first network because financial constraints allowed SGBs in all public schools to charge fees. The main issue is that the apartheid government used the institutions of the state to make changes in the school system to make it difficult for the new government to radically transform the education system. Evidently, such measures affected the policy process and policy change.

It is evident from above that the education policy formulation process was open to all groups and individuals in South Africa with the establishment of different structures and avenues for participation. However, constraints in participation were evident in the established structures and avenues. As different legislation is taken through the political process in the Parliamentary Portfolio Committee on Education, it creates the opportunity for participation by various stakeholders through public hearings called by the Committee. The majority of ordinary people were excluded because the cost of participation (transport, time and other resources) became too high. Other avenues and strategies have also shut out ordinary people particularly those from formerly disadvantaged communities. This means that opportunities were more opened to better

resourced NGOs, private and business sector interests, formerly advantaged and most affluent groups in the country.

Statutory bodies have been established at various levels to enhance participation by different stakeholders and groups. The establishment of such bodies ignores the fact that organised civil society has unequal and varied capacity. Their effective participation is constrained by inequities in race and gender, and in many cases, statutory bodies have been dominated by white, male, most affluent and highly educated representatives. Their composition has been heavily weighted towards ministerial appointments which limit members from meaningful participation. The findings also showed that in some provinces, like the Eastern Cape, the Department of Education has not yet established the stipulated statutory bodies; while in others the structures are in place but they are not functioning.

The participation of provinces through the NCOP has encountered a number of challenges. Section 76 bills which concern provinces are supposed to be discussed in the provincial legislature after first reading in the NCOP. Provinces are required to solicit inputs from people during this period. However, permanent delegates to the NCOP present bills to the provincial legislature late thus making effective consultation impossible, and this denies the participation of the majority of people in the province. It has also been shown that permanent delegates spend time that they would have used for consultation in their provinces by participating in discussions on Section 75 bills which are not within the mandate of the provinces. Some of the provinces have failed to adapt national legislation to suit the respective provincial environment due to lack of knowledge and capacity. Consequently, many of them have developed very few pieces of legislation due to lack of capacity. Evidently, these factors have affected participation in education policy development.

Members of Parliament are obliged to consult with people through their constituency work. In this process, people in the constituencies are availed the opportunity opportunities to provide input to some of the policies. Members of Parliament have been

allocated constituencies and provided with offices and funding to enable them perform their duties in the constituencies. However, in many cases, the participation of ordinary people has not been effective because the system of proportional representation allows Members of Parliament to be more accountable to their parties than constituencies. Therefore they have lesser commitment towards constituencies allocated to them by their parties.

Therefore, participation has not been inclusive as anticipated and the majority of those who were able to do so effectively were well resourced NGOs, private and business sector interests, a small segment of the elite and most affluent groups in the country. It marginalised or excluded those in the lower levels most of them from the formerly disadvantaged communities. The above challenges can be attributed to:

- Compromises made in the negotiation process in Kempton Park and the changes made by the apartheid government in the education sector before the 1994 elections. Formulation of SASA is among the examples where the new government had to enter into negotiations with the Model C SGBs. This provided more advantage to Model C SGBs and other affluent groups.
- The functioning of participatory institutions, bodies, avenues and so forth provided more opportunities to certain groups with more influence and ideas to participate, while those without same were left out.
- Arrangements, functioning and powers of structures particularly at the provincial level constrained participation of some groups and stakeholders in the process. This is evident in the findings on the arrangements and the way the NCOP, provincial legislatures and the Departments of Education operate or function.
- Lack of capacity, commitment, will and understanding of procedures among provincial politicians and Departmental officials. This has shown in the findings on the policy formulation in the Eastern Cape province.

6.3   Economic Policy

With the establishment of the new government, it was realised that the country was already spending a large share of its gross domestic product (GDP) on education which is

higher than the international average for developing countries. It was therefore clear that any increase in education expenditure would only be financed by economic growth. In the initial two years, the post apartheid government put forward its Reconstruction and Development Programme (RDP) which was developed prior to the 1994 elections. It entailed massive human resource development as one of the key components driving the nation's economic reconstruction. Under the RDP budgeting for education would be based on needs. However, given the scale of injustices and inequities it was soon realised that there was a need for more investment than the state could afford. Therefore, the government committed itself to a macroeconomic framework, the Growth, Employment and Redistribution strategy (GEAR) to provide stability in the economy and resources for greater distributive justice.

GEAR is based on an export led strategy with reduced tariff barriers to attract foreign investment and stimulate growth. It also emphasizes privatisation of essential state assets and removal of exchange controls. It is aimed at reducing the government's financial deficit and is focused on a projected economic growth of 6% per annum. GEAR did not attract the amount of required foreign investment as expected and the economic growth per annum was at times negligible or very low. Emphasis on fiscal discipline and concentration on the reduction of fiscal deficit led to reduction in the education budget. Therefore there was no anticipated additional funding for educational expenditure. Hence, additional funding to enable redress could only be raised by allowing schools to charge fees; redistribution of resources through the Equitable Share Formula and resource targeting of poor schools (intra- provincial equity).

The outcome of charging school fees was that children from formerly advantaged communities stayed in public schools because they continued to receive quality education. At the same time it enhanced inequities on the basis of class since it enabled children of all races from middle class families to access quality education in the former Model C schools. Fees have also reinforced the advantages enjoyed by the former Model C schools without at the same time increasing resources to former state schools which served mostly disadvantaged groups.

The post-apartheid government has attempted to direct greater levels of resources to provinces that were historically disadvantaged through the Equitable Shares Formula in order to address the issue of jurisdictional inequality and poverty. The Equitable Shares Formula was phased in over a period of four years so as to ensure that those provinces which were projected to receive real cuts in their budgetary allocations were given sufficient time to make the necessary adjustments, either to their expenditures or to their own revenues. However, despite these measures (which have seen significant allocation to poor provinces), inequitable distribution of resources across provinces still remains. The poorer provinces, namely the Eastern Cape, Limpopo and KwaZulu Natal, spend the least per capita on education while the wealthier provinces like the Western Cape and Gauteng spend relatively more per learner. This is despite the fact that the poorer provinces spend a proportionately high percentage of their provincial budget on education.

To achieve intra-provincial equity the government initiated policy to direct more funding to poorer schools. In 1999 the Department established Norms and Standards of School Funding which stipulate funding procedures to promote equity and redress within the context of inadequate government spending and more reliance on parental financial contribution for education. The Norms and Standards provide the poorest public schools and those in bad physical condition a larger resource allocation than the relatively advantaged schools. The major challenge that was faced was that the Norms and Standards of School Funding did redress personnel costs in favour of poor schools as compared to non-personnel costs. Therefore, the proportion of the budget transferred from the least poor to most poor is small; limited to non-personnel funds and is most likely to have very little impact on reducing inequalities. Wealthier schools continue to benefit more as personnel costs favour schools that qualify for additional staff based on broader subject choices. Consequently more weight is given to mathematics, science and technical subjects. Schools offering these subjects most of which are former Model C schools, are allocated more teachers. Similarly, there have been challenges with the exemption clause because some schools exclude learners whose parents are not able to

pay or those that are likely to apply for exemption. Therefore the above findings show that inadequate funding and lack of the required economic growth is likely to affect the attainment of the goals of equity and redress in education.

6.4 Arrangement of Structures and Allocation of Powers and their effects on Policy Implementation

The transformation of education and education policies were also affected by the arrangements of structures including their powers and functioning. This has created vertical and horizontal incoherencies, lack of coordination, control, communication and proper monitoring. Problems of allocation of powers and the functioning of structures at the national and provincial levels have resulted in the provincial Departments of Education setting their own priorities and implementing policies selectively. This is attributed partly to the national Department of Education's failure to prioritise interventions. Instead, the National Department developed policy frameworks in all areas of education that provincial Departments of Education were expected to implement, and in many cases, without budgeted funding. The fact that funding was allocated by provincial legislatures exacerbated the problem because the National Department had no control of the financial resources. The above developments resulted due to lack of coordination, control, communication and monitoring and consequently, this derailed the transformation of education.

Both provincial and national Departments of Education have attempted to address this problem by different measures. There was restructuring and reorganisation of the bureaucracy including the introduction of new managerialism which includes giving more decision making powers to the districts, introduction of performance management systems, controls and monitoring and so forth. Despite the above measures that were adopted, the task of ensuring proper coordination, control, communication, monitoring still persisted in many provinces, particularly in the Eastern Cape Department of Education.

Lack of proper implementation is also attributed to lack of capacity, commitment and resources. Many of the people who were appointed in the senior management positions lacked the necessary skills and experience despite the fact that they enjoyed political legitimacy and had commitment to transformation. Officials who served in the apartheid government had experience in generic administrative procedures but not in the management style and orientation of the new administration. Although many of them adapted to the new changes, some of them resisted and continued to use old practices. This had a deleterious effect on the pace of transformation in education. This problem was exacerbated by the fact that the Province incorporated two homelands of Transkei and Ciskei which were very poor and had a lot of backlogs. The two provinces had civil services that lacked capacity and motivation; and a history of corruption and maladministration. This adversely affected the transformational agenda in education in the Eastern Cape Province.

Problems of capacity and mismanagement led to the Treasury taking over the responsibilities of managing the finances of the Eastern Cape Provincial Department of Education. The consequences were tightly controlled system which curtailed or delayed the implementation of various programmes. It was difficult to build capacity in the Department of Education now that financial responsibilities were entrusted to the Treasury. Provincial Departments of Education have restructured a number of times in order to facilitate the effective implementation of policies.

There have also been differences of capacity in policy implementation between and among schools. Former Model C schools remain privileged as they have the capacity to implement their programmes. SGBs in those schools understand their roles and responsibilities and they have capacity and sufficient funding to implement them. They also have adequate resources and teachers to deliver the curriculum effectively. Township and rural schools have elected SGBs. However, many of them lack the necessary skills. Capacity building by the Eastern Cape Provincial Department of Education has not been adequately provisioned due to lack of funding. Lack of capacity means that the responsibilities and functions of the SGBs are performed by principals. Additional

responsibilities affected performance by principals and other members of the school management and also opened the doors for undemocratic practices in the governance of schools.

Financial constraints remain a problem in the township and rural schools despite redistributive measures taken by the Department. Most schools do not have adequate learning materials and resources. Others lack sufficient number of teachers and educators. The above differences have exacerbated inequities between wealthy and, township and rural schools.

Overall, the findings of the study have shown that various factors have led to setbacks and contradictions in the policies that were adopted in education. They have also affected formulation and implementation of the policies, hence exerting certain limitations on the achievements of the goals of transformation in education. The factors identified in the findings are the outcome of the negotiated settlement and subsequent changes made by the apartheid government in education before the 1994 elections; constraints and unequal participation of different groups in education policy development in various established structures and avenues; drawbacks in the implementation of education policies by decentralised structures and agents at various levels. This was exacerbated by lack of capacity, lack of adequate resources, lack of commitment and will among some of the civil servants. The legacy of apartheid and the homeland governments, together with existing backlogs added another layer. Consequently, there were challenges in the economic policy which led to decrease in funding for education.

6.5   Discussions on Theories and Methodology used in the Study

6.5.1   Theory

The study is premised on the fact that transformation/ including policy and the policy process, involves an examination of a multiplicity of formal and informal negotiations, contestation and struggle between competing groups with different perceptions, expectations, interests and ideas. This takes place throughout the process, that is, when policy texts are being produced; when they are being discussed and scrutinised in public

discussions and hearings; when they are being adopted in the legislature or other bodies; and when they are being implemented, monitored and evaluated. During these different stages policies are modified, constituted and reconstituted. As a result, they give rise to intended and unintended outcomes which are likely to support or contradict the objectives of those policies. Hence, in all its stages the policy process is beset with continuous debate, contestation and struggle for the success of ideas and interests which are pursued by individual actors, groups and policy networks through the institutions. Hence, examination and analysis of the process has taken those factors into consideration. Consequently, it is evident that the process cannot be explained using one approach. This study has been situated in ideas, group and networks and institutional approaches to examine the factors that have affected education policies, their formulation and implementation and the overall transformation of education in South Africa. It contends that policy change and variation result from interaction of ideas and interests within patterns of group and policy networks and preset institutions.

The study adopted institutional approach to explain the effect or consequences of institutional rules or structures, arrangements and procedures on the adoption and content of policies in the education sector in South Africa including the outcome of their implementation. This was done by examining changes made by the apartheid government through institutional structures during the negotiation process. It also involved the examination of institutions that are involved in the education policy process including their arrangements, allocation of powers and responsibilities. Among the institutions examined were the provincial and national Departments of Education, the national Assembly, the NCOP, provincial legislatures and other bodies. It also included analysis of the formal policy process and different roles performed by each institution.

The findings showed that the apartheid government being the government of the day used institutional norms and rules to effect changes that would enable its constituencies maintain existing interests and make difficult for the new government to effect subsequent changes. As indicated in Section 6.1, agreements reached in the negotiation process in Kempton Park, like the establishment of the Government of National Unity,

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meant that decisions were made on the basis of compromise, negotiation and consensus. The implications were that the post-apartheid government would be restricted to act on various aspects of transformation. It also limited its latitude and flexibility to manoeuvre social and economic issues and this had implications on the transformation of education. Moreover, some of the changes made by the apartheid government entailed negotiations with different actors, for example the formulation of SASA obliged the Department of Education to negotiate with Model C SGBs. It is evident that negotiations entail compromises with one side benefiting more than the other. The findings show that this was the case with Model C SGBs which had most of their recommendations included in SASA.

The findings also show that arrangements of structures including allocation of powers and responsibilities have affected policy formulation and implementation. The study revealed that there is lack of proper coordination, control, communication, proper monitoring, lack of accountability and other factors which affect efficient policy delivery. This has had effect on policy implementation. The arrangements, powers and responsibilities have also affected policy formulation particularly at the provincial level. Therefore, the main conclusions that can be made from the above findings are: institutional norms and rules; and also arrangements of institutional structures including allocation of powers and responsibilities, constrain policy variation and change. The policy process entails continuous debate, contestation and struggle for the success of ideas and interests which are pursued by individual actors, groups and policy networks through the institutions. The discussions in Chapter II showed that actors and groups use ideas to circumvent institutions in order to effect changes in the pursuit of their interests. Public officials have their own interests and ambitions that they seek through the control of state machinery. Since institutions consist of norms, rules and structures as well as being the formal apparatus of government, people from within are able to use those norms and rules to effect changes that would enhance and further their own interests.

The institutional approach was not adequate to analyse how different actors in the different institutional structures, for example the executive and other actors, relate and

interact informally with groups from outside the government, politicians and other members of the executive and bureaucracy, and how such relationships and interactions affect the outcome of the policy process in education.

Therefore, this study has also the adopted group and policy network approach and ideas to explain the effect of relationships and informal interactions including the use of various strategies by different groups and policy networks on decision making and content of policies and their implementation. The group and policy network approach has also been adopted to examine participation in different bodies, structures and avenues established by the government to enhance participation of all the people in policy formulation. The findings showed that the education policy process was influenced by different groups and policy networks. The example of how two networks were involved in the formulation of SASA has been discussed in the study to show how groups and networks influence policies. The first network consisted of the NP, the Freedom Front, the Model C based South African Federation of State Aided schools, the Afrikaans Press and other constituencies made up of mostly white groups. The second one was made up of the ANC Study Group, ANC aligned education organisations and intellectuals, ANC Members of Parliament, COSAS and officials from the Department of Education who were members of the ANC.

The two groups have been identified as policy networks because they were made up of actors from interest group representatives, bureaucrats, politicians and other people in decision making positions. The findings revealed that each network had a broader network interest. At the same time, each group or actor in each network had a specific interest which was pursued within the broader network interest. Actors and groups participated and cooperated in the network as long as there was a relationship between the broader network interest and specific group interests. Each network was made of loose, open membership. For example, it was observed in the findings that in the second network different members attended discussions depending on whether issues being discussed were of interest and concern to them.

The findings also showed that the relationship of the actors or different groups in each network could be attributed to the fact that they had common values, interests and goals. However, what brought them close and linked them together was the broader network interest and the fact that they could also pursue their group or individual interests. Therefore, the findings support what group and network approach advocate, namely networks are formed because of similar interests among the participants. The findings revealed that the relationship within members of a network on its own does not enhance influence in the policy process but need to be linked with ideas. For example, in SASA both networks held workshops and on the basis of the discussions and ideas from the actors and groups, they were able to make submissions to the Department of Education and the Parliamentary Portfolio Committee on Education. The fact that the Department of Education had to negotiate with Model C SGBs in order to fulfil the requirements of Section 247 of the Interim Constitution availed opportunities to the governing bodies including others in the first group to advance their preferences and maintain existing interests. This had implications for policy change, as the bill included most of the aspects advanced by Model C SGBs.

On the other hand the second network advanced ideas on amendments and variation of the Bill. However, inadequate funding led to agreement on allowing schools to charge fees. The decision worked to the advantage of Model C SGBs who were also able to exert most influence in the initial stages of the bill. They were also advantaged by the fact that the apartheid government changed the school system before 1994 elections ensuring that the new government would not be able to implement changes without negotiations with those institutions. Although the above findings are based only on SASA, they support what is advanced in group and network approach, namely the relationship that exist within a network does not necessarily enhance influence in the policy process but need to be linked with ideas advanced by competing networks. It is also evident from the above findings that institutional norms and rules and economic policy constrained policy change and this benefited the first policy network. This confirms findings from other studies which show that institutions and economic environment constrain policy change.

The government has put in place structures and avenues to enhance the participation of people in the formulation of education policy. They include commissions established by the Ministry and Department of Education; political party structures and caucuses; established statutory bodies at different levels; public hearing convened by the legislature; and parliamentary constituency offices. As the study has shown, despite the availability of those structures and avenues for participation, policy formulation in education has not been as inclusive as it was anticipated. The findings showed that the majority of those who were able to do so effectively and provide most input were resourced NGOs, private and business sector interests, a small segment of the elite and affluent groups in the country most of whom are from formerly advantaged groups. Many of these actors and groups had the necessary resources and information and were able to compete with other groups in making presentations in different avenues and structures established for participation. It marginalised or excluded other individuals and groups, many of them from formerly disadvantaged communities.

Moreover, the arrangements, functioning and powers of the structures particularly at the provincial level, inhibited the participation of certain groups and stakeholders particularly those from the rural areas and formerly disadvantaged groups. Lack of capacity, commitment, will and understanding of procedures among provincial politicians and Departmental officials has also limited the effective participation in education policy formulation particularly among the formerly disadvantaged communities. It is not difficult to deduce from the findings that some of the policies will reflect the interests of those who were able to exert most influence. The above discussion on the role of the two policy networks in the formulation of SASA and participation of different actors and groups in established structures and bodies in education policy formulation show that competing ideas and interests advanced by groups and networks have affect decision making and policy. Moreover, it is assumed that some policies will reflect and maintain the interests of those individual actors, groups and policy networks that exerted most influence. The above discussion also showed that institutional norms and rules, inadequate resources and economic environment constrain decision making and policy change and implementation.

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Another aspect that was examined was policy implementation. Delivery of education programmes and activities is effected through governmental mix. It is implemented at national, provincial and local (district and school). Administrative and financial arrangements including powers granted to different levels are stipulated in the Constitution of South Africa 1996. The findings revealed that arrangements of structures including powers and responsibilities granted to different levels posed a number of challenges. They resulted in incoherencies among different levels and structures and problems of coordination, control, communication and monitoring. Problems of capacity in terms of adequate and skilled human resources and also lack of will and commitment among some of the employees were revealed. Inadequate resources and financing of programmes and activities resulted in policies not being implemented as planned or implemented selectively. These factors led to skewed implementation of transformation programmes in education and have also enabled certain groups to maintain existing interests. This brings into the picture the role of street level bureaucrats. It also supports criticisms advanced against the 'top down' rational model of policy implementation as discussed in Chapter II.

Parsons (1995:469) observed, "A public officer has discretion wherever the effective limits on his power leave him free to make a choice among possible courses of action and inaction. Whether the mode of implementation is top down or bottom up, those on the front line of policy delivery have varying bands of discretion over how they choose to exercise the rules which they are employed to apply". The findings confirm the above statement by showing that implementers or street level bureaucrats in the provincial and lower levels used their discretion to implement education programmes selectively. Such a practice provided some of them with opportunities to implement programmes that are likely to enhance their interests or leave out those that would disadvantage them.

The findings also show that there have been restructuring and reorganisation of the bureaucratic structures to address the challenges. More administrative powers and responsibilities were decentralised to districts to enable the head office focus on

coordination, monitoring, policy determination, providing leadership, support and direction to district structures in policy implementation. The head office became responsible for formulation of strategic priorities and districts were given the role of policy implementation and provision of school support. They were required to frame their activities within the strategic priorities set by the head office. Head office collaborates with districts to budget for the programmes and activities. The funds are then allocated to head office and districts which are required to implement the programmes and activities to meet specified performance targets.

An attempt was made to introduce bottom up model of policy implementation. It also included other measures such as introduction of aspects of new managerialism, including outsourcing. The granting of powers to districts aimed at 'empowering' employees of government in lower echelons with more power and control over their jobs; and also provide them with greater latitude to make decisions and become accountable for them. However, problems of lack of capacity in terms of adequate and skilled human resources, inadequate financial resources, proper coordination, control and monitoring continue to pose major challenges for policy implementation. The above findings reveal the government's attempts to balance centralisation and control while at the same time enhancing decentralisation to enable provinces and other lower structures implement policies to attain transformation agenda. The findings confirm what Metcalfe and Richards saw as the main issue in governmental mix type of policy delivery. Here the need for centralisation becomes essential in order to secure control of national financial resources while at the same time decentralising in order to secure managerial benefits to ensure that education policy and programmes are implemented as required and that they meet the stated goals and objectives. "Centralisation in order to decentralise, and decentralisation as mode of centralisation thus constitutes a key paradox in the allocation of responsibilities in the modern state" (Metcalfe and Richards 1992). The above findings also confirm that institutional arrangements, including allocation of powers and responsibilities, constrain policy implementation.

Overall the findings in this study showed that institutions, groups and policy networks and ideas affected the policy process. Groups and networks participate in the policy process. They come together because they have common values, goals and interests. Their relationship emerges as a result of members being close and linked because of common interests and their own individual interest which is pursued within the network interest. Ideas are important because they are advanced by groups and networks with the purpose of competing to influence the policy process in order to enhance their interests. It takes place in both policy formulation and implementation. This confirms observations by John who stated:

> In the policy process there is a continual debate and struggle for the success of ideas and their attendant interests. What causes policy variation and change is the way in which certain ideas are selected. Ideas emerge either from policy entrepreneurs' skill at advocacy, or from chance conjunctions of people and events or from a favourable environment (John 1999:19).

The findings also reveal that institutional norms and rules and arrangements of structures including allocated powers and responsibilities constrain change. However, actors, groups and networks are able to use institutional norms and rules and arrangements of structures to advance or maintain interests. This is confirmed by Howlett and Ramesh (1995) who observe that actors and groups use ideas to circumvent institutions to effect changes in the pursuit of their interests. Public officials have their own interests and ambitions that they seek through control of state machinery. Since institutions comprise of norms, rules and structures as well as being the formal apparatus of government, people from within are able to use those norms and rules to effect changes that would enhance and further their interests. Consequently, the findings also show that economic policy and inadequate funding constrain change. Hence we can conclude that competing ideas and interests advanced by groups and networks have impact on decision making and policy. Moreover, it is assumed that some policies will reflect and maintain the interests of those individual actors, groups and policy networks that exert most influence. The above discussion also show that institutional norms and rules, inadequate resources, lack of capacity and skilled human resources and economic environment, constrain decision making and policy.

6.5.2 Methodology

The study is premised on the fact that transformation including policy and the policy process involves a multiplicity of formal and informal negotiations, contestations and struggle between competing groups with different perceptions, expectations and interests. This takes place throughout the process. During these different stages policies are modified, constituted and reconstituted. As a result, they give rise to intended and unintended outcomes which are likely to support or contradict the objectives of those policies. Therefore research directed at examining policies need to bring out the goals and objectives of policies, the target groups and consequences of such policies, and also identify the beneficiary groups or those advantaged by those policies.

The above issues have been addressed in this study by adopting an interpretive qualitative methodology. The study has exposed different views and perceptions of reality on the transformation in the education sector by all the participants and groups that were included in the research. The views and perceptions were constructed by different groups and people involved in the study, namely, policy makers and implementers (government agents and NGOs, CBOs, FBOs etc.); those from formerly disadvantaged communities who are the intended beneficiaries of the transformation process in education; those from formerly advantaged communities, most of whom benefited from the former regime; and politicians from different parties.

By adopting an interpretive qualitative methodology it was possible to use unstructured interviews, focus group discussions and face to face interactions to listen to the views of all the above groups and people included in the study. Those that were affected differently by the transformation process were able to open up and give their perceptions, views, experiences and opinions on how they saw the process as it unfolded. In the case of policy formulation, it was possible to find out groups that have been excluded and those that have been able to participate in the process. The methodology enabled us to conduct an in-depth examination of the process of policy formulation by interacting with the above actors, groups, communities and institutions. Through face to face interactions and getting the people to voice their perceptions, concerns, opinions and views on the

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policy formulation in the education sector, we were able to find out what took place in the process.

Valadez and Bamberger (1994:330) observe, "Face to face interactions has (sic) the irreplaceable character of nonreflectivity and immediacy that furnishes the fullest possibility of truly entering the life, mind and definitions of the other as this other conceives it". It was possible to obtain detailed information on the policy formulation process in the education sector and people's perceptions and views on the structures and institutions involved in the process. We were able to scrutinise those structures and institutions to find out how they functioned, whose ideas and interests they served; the groups and people involved in the process; those that were excluded and the reasons for exclusion.

The methodology enabled us to examine and scrutinize some of the education policies that have been put in place by analysing the texts and conducting face to face interactions with respondents from public schools (township, former Model C and rural schools); NGOs, CBOs, FBOs, political parties and government. Each individual and groups gave their perceptions, views and opinions on the policies (Education Financing Policies, Curriculum 2005, SASA (School Governance)). Through the interactions with the above groups and textual analysis of the policies, we were able to find out:

- The scope of the policies that were identified in the process, that is, what the policies assumed they can do; how the issues are framed; existing contradictions in the policies and the relationships embedded in them.
- The pattern of the policies, namely, what they build on or alter in terms of relationships, what organisational and institutional changes or developments they required.
- The language used in some of the policies was scrutinised to find out the impressions they produce. The issue of language was mostly applicable to Curriculum 2005.

The methodology used in the study enabled us to obtain information on the

implementation of policies in the education sector in the Eastern Cape. Unstructured interviews and face to face interactions were used to obtain views and opinions of people on the implementation of policies in the Eastern Cape Province. Policy makers, implementers (government agents, political parties, members of legislatures, CBOs, NGOs, FBOs, etc.), respondents from township, former Model C and rural schools related their experiences on the implementation of education policies in the province. By discussing openly and relating their experiences through face to face interactions, we were able to acquire information and knowledge on:

- The establishment of the new provincial Department of Education and the major challenges encountered in the amalgamation process.
- The arrangement of structures and powers allocated to different levels, that is, national, provincial, district and school levels and their relationships to the implementation process.
- Agents/groups and institutions involved in the implementation process and the level of human, financial and other resources provided for implementation.
- Major challenges encountered in policy implementation at different levels.

Face to face interactions through unstructured interviews and observations were made at the school level to examine the implementation of SASA (School Governance component). Three types of public schools were examined, namely former Model C, Township and Rural schools. In doing so we were able to obtain information on the establishment of SGBs and the profiles of its members; how SGBs have functioned; their understanding and fulfilment of their roles and responsibilities; profiles of school governing bodies; and their capacity and training needs. The information that was collected from the three different types of public schools enabled us to make informed and balanced comparisons between the functions and performance of SGBs among those schools.

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While it is evident that the government has made strides in pursuing the transformation agenda to ensure social justice, equity and redress in education, the methodology used in the study has enabled us to identify the challenges and limitations in respect of the process, namely:

- It enabled us to examine and expose the effects of education policies on the ground. This was evident in the analysis of different policies to show their limitations and inherent contradictions in the implementation of school governance in the four schools in the Eastern Cape province.

- It has enabled us to examine and identify how and where policies increase inequality and impact unfairly on particular groups. This was observed in analysing the policies and in examining their implementation in the Eastern Cape Province.

- It enabled us to scrutinize and examine established structures and institutions more critically and how they have constrained or facilitated the process of transformation in the education sector.

Respondents from schools were not only able to provide their views on how policies have affected them, but also provided valuable comments on how and what actions could be taken to make policy improvements; as well as how they would like the policies and programmes to be implemented. They were also able to single out aspects of the policies that they identified as having limitations or contradictions.

Although the methodology adopted in the study has enabled us to explore the information identified in the above sections, there are also limitations. While people relate their stories, perceptions, views and opinions, it is difficult to tell the extent of honesty in them. This was the same with observations made. Although the researcher would have preferred to take bigger samples for the study, hold more interviews with all the respondents and make more observations at the school level, time and resources were limited. The problems were addressed by securing alternative sources of information, mainly documents and also by going back to respondents to discuss with them the draft of the findings in order to obtain more clarification on some of the issues. The use of triangulation methods as a way of overcoming the above limitations was discussed in Chapter II. Consequently, the amount of data collected is immense and there is a danger that a researcher with limited time and deadlines to meet might leave out vital information. As a researcher, I have my own values and convictions which are likely to affect the way I look at transformation in the education sector and the policies that have

been put in place, including their formulation and implementation. Therefore, this might affect the way the data from different respondents is interpreted. However, this was addressed by securing alternative sources of information, and also by obtaining more clarification on some of the issues in order to ensure that the respondents' views were properly reflected.

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APPENDICES

APPENDIX I

Interview schedule for Members of the National and Provincial Legislatures and officials from the National Department of Education

1. Please discuss avenues and strategies of participation in policy development at national and provincial levels. Are all avenues functioning and known by all people? What problems are encountered by the structures in enhancing participation? Please discuss.

2. How participation organised and who is responsible?

3. Which groups or people participate most? Please discuss why particular groups are most active?

4. Which groups or people are excluded? Please discuss why particular groups or people are excluded.

5. In your opinion who benefits most in participation in the policy process? Has this affected the type of education policies formulated by the post-apartheid government? Please discuss.

6. Please explain what measures could be taken to enhance effective participation in policy development by all groups?

Interview Schedule for Members of School Governing Bodies, Principals, Teachers and Learners in Township, Rural and former Model C Schools and Teacher Unions

Formulation of South African Schools Act and Curriculum 2005

1.   Please discuss explain whether you are you conversant with the South African Schools Act and Curriculum 2005?

2.   What are the objectives of the two policies?

3.   Please give your views about the goals and content of the policies. Please discuss the aspects of the two policies you like and those you do not prefer and why? Please give reasons. What aspects were left out that you feel should have been included in the process? Please discuss.

3.   Please discuss whether you or your school provided input during the formulation of the two policies? Please discuss whether you participated as a group or an individual?

4   If yes, what input did you provide? In what forum or place did you make input? How were you informed about the presentations? Who else was there to provide input? How was your input treated? Did it make a difference?

5.   Please discuss the stage at which you provided input in both policies?

7.   Are you satisfied with the methods and avenues used by policy makers to get people's feedback on the two policies and others during the policy formulation stage? Please give your comments. What other groups and organisations do you think should have been involved in the process but were left out? Why do you think they were left out?

8.   Please discuss the changes you would you like to see in policy formulation in education?

Implementation of South African Schools Act: School Governance and Democracy

- What is the composition of members of the school governing body (Please give their number, gender and the positions they hold in the school)

- Please outline the roles and responsibilities of the SGB?

- What has the SGB accomplished in each function?

- Which functions do you feel the SGB has performed very well?

- In which ways has it done well?

- Why do you think it has performed well?

- Which functions do you feel the SGB has not performed well?

- Why has it not performed well?

- What problems hinder effective performance of the SGB?

- Please discuss whether there have there been any problems in determining the powers and functions between the SGB and the principal?

- How many meetings of the SGB were held since it was established? How often are meetings of the SGB held? What issues are discussed in these meetings?

- What type of training have members of the SGB received since they were elected? Who conducted the training? How many times has it been offered? What was the content of the training? Who met the cost of training? Has the training enhanced the performance of the SGB? (Please explain).

- What are the major sources of funding for your school? How much fees do you charge and on what criteria were the fees fixed? Who was involved in fixing the fees? How much have collected per annum? What do you do about those who are not able to pay fees? Please explain how much funds the school is allocated by the Department per annum. Has the amount decreased or increased in the last five years? What was the school able to do with additional funding if there was an increase? How did the school cope if there was a cut in funds? What do you experience as a result of funding problems?

- Please discuss implementation of Curriculum 2005 in your school? What are the major problems is your school facing in implementation of the policy?

Interview schedule for NGOs: Participation in formulation of Curriculum 2005

- Please give your views on participation in education policy development before and after 1994 elections?

- What strategies are in place to enhance participation in policy development? What are the major strengths and weaknesses of the structures?

- Please discuss your organization's participation in development of Curriculum 2005? What role did it play? At what stage did you participate? In your opinion did was everybody given opportunity to participate in the process? Who was excluded and why were they excluded? Who played a greater role? Please give your views why others were excluded while others were given opportunity to participate? Please give your views about Curriculum 2005, its major strengths and weaknesses?

Interview Schedule for Officials from the Provincial Department of Education and Workers' Union

Policy Development: The guiding questions for interviews are:
- Which policies of transforming the education sector have been developed at the provincial level and are currently being implemented?
- Please explain how the process of policy development in this province take place?
- What part does individual stakeholders including different groups and organisations play?

Responsibilities and Power between the National and Provincial Departments of Education: The guiding questions for the interview are:
- Please explain responsibilities and powers of provincial Department of Education?
- What areas which fall under provincial Department does the national Ministry of Education have powers over the Department.
- Please explain areas where problems or conflicts have resulted because of powers and responsibilities provided to provincial Departments and national Ministry of Education by the Constitution?
- What do you feel are the advantages and purposes of co-ordination between national and provincial system and within the province itself?
- Please explain whether decentralisation truly advances the process of democratic participation and decision making and what capacity problems exist in the province in this regard?
- Please explain whether you think constitutional separation of powers and responsibilities in education has lead to dysfunctionality in the policy implementation and monitoring processes in education in the province.

Provincial management Capacity and Management Institutions: The guiding questions for the interview are:
- Please explain whether national Department structures ensure that a single coherent education system is maintained?
- Please discuss the establishment of new provincial Department of Education and the challenges encountered in terms of establishing new organisational structures and reorganising the bureaucracy?
- What is the staffing situation at the Headquarters, Regions and Districts?
- What major problems does the civil service face in performing their duties?
- In view of Ncholo Report what steps have both the national Ministry and

provincial Department of Education taken to improve provincial management systems and raising the level of provincial performance?

- Please discuss the measures taken to address problems of integration and
- What is the situation in terms of infrastructure, facilities and performance of people in the regions and districts? What powers have been delegated to those levels? What problems do those levels face in performing their duties? What monitoring and evaluation mechanisms have been put in place to assess performance in the regions and districts?
- Does the department have a HRD plan? Do staff have clear job descriptions? How are individual's performances monitored and managed? What is the role of the department in career pathing and training? How are training needs determined? Are all staff on a common Persal system? Are grievance and disciplinary procedures effective?
- What is the relationship between management and the trade unions?
- Has the Department faced problems of defining roles between political and administrative structures or have there been tensions between political and administrative structures resulting from problems of interference of each others' responsibilities? How was the problem addressed?

Democratic Participation and Governance Institutions The guiding questions for the interview are:
- Has the province established a National Education and Training Council? If it has been established what is its composition? What has it achieved since its inception? What problems has it faced? If it does not exist, what plans are in place to establish one?
- Do all schools in the province have active school governing bodies?
- How do you rate performance of school governing bodies in different schools since they were established?
- What problems has the Department experienced with school governing bodies in determining policies in the area of admission, religion practice and language to be used in schools and in performing their other functions?
- What is the Department doing to make sure that user fees will not perpetuate inequalities?
- What type of capacity programmes for school governing bodies is the Department implementing and what is the progress?

Planning and Planning Implementation
- To what extent does planning follow policy priorities?
- Is planning needs driven or supply driven?
- Does the department have effective systems in place to quantify and prioritize needs?
- What is the research and information gathering capacity of the department?
- To what extent does planning integrate with the budget process?

- Are plans being implemented and what mechanisms are in place to monitor/modify plans?

Policy and Policy Implementation
- What were the key policy imperatives at the time, both with respect to transverse public service as well as education-specific issues and challenges?
- How were provincial education policy imperatives determined and prioritized?
- To what extend do these priorities integrate with overarching policy frameworks of the public service?
- How well are key policies understood across the establishment structure?
- How effectively are key policies implemented?
- Are lines of political and operational accountability understood and effective?
- What monitoring and evaluation systems and mechanisms are in place to ensure tracking of implementation, feedback, and realignment?

Finance
- Please discuss major problems encountered by the Department in allocation of funding, expenditure and managing the funds?
- What changes have occurred in the budgeting process, with particular respect to the MTEF?
- Have financial systems and packages been standardized across very section of the department?
- What formal channels exist for different sections to input into the budget process?
- What was the total debt carried by the department in the period under review?
- How has the level of debt servicing increased during the period?

Observation Schedule of School Governing Bodies (SGBs) Meetings

What to observe:

1. Meeting procedure to find out:

· times, days and places where meetings are held. This will enable the researcher to find out whether distance, times and days when meetings of SGBs are held affect attendance by members.

· whether meetings of SGBs have quorum.

· members who are present and those who are absent. Whether there is a pattern in schools whereby certain categories of members of SGBs do not attend meetings.

The above three aspects will be complemented by examining minutes of previous meetings to find out whether there is a pattern of good attendance of meetings by some members and while others are often absent.

2. Items to be discussed in meetings to find out:

· whether items on the agenda reflect on activities and functions of SGBs as stipulated in the Act; and whether those items are intended to promote effective implementation of the policy and proper management of teaching and learning in those schools.

3. Discussions in the meetings to find out:

· whether they implement decisions taken in previous meetings. This will be done by observing how they go through matters arising from minutes of previous meetings and the weight they attach to each aspect, and whether action has been taken on decisions made. It is possible to find out decisions which have been implemented as members report back on matters arising from previous meetings.

· which category of members or individuals participate most and contribute in discussions.

·   members who make practical and constructive input to discussions.

·   members who make least or no contribution to discussions.

·   the type of items on the agenda which are given more weight and are discussed at greater length and those which are given lesser weight.

·   language used to conduct meetings and whether members are able to understand and communicate properly.

·   whether there are members who dominate discussions and their influence on decisions taken.

·   whether members work together as a team or are divided in cliques which oppose each other. This will be revealed by observing how they participate in discussions and the way they take decisions in meetings; and also how they listen and react to inputs from different members.

Above aspects will be observed by sitting in meetings of SGBs.

4. Duration of meetings:

·   A meeting can take long when there are either too many items to be discussed or important matters to deliberate. However, a meeting can prolong if people take much time to provide unnecessary input; if there is in- fighting among members and they delay deliberately to make decisions; and if people want to avoid responsibility by making decisions.

5. Sitting arrangements:

·   Sometimes people sit near each other in order to discuss the agenda informally before the meeting starts and to adopt a common stand. They might also sit near each other because one member does not understand the language used properly. Therefore he/she might rely on the other member for assistance in explaining the discussions. These are some of the aspects which will be observed in sitting arrangements during meetings of SGBs.